

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3339 of 2016

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Nandan Prakash S/o Vijay Prasad Singh Of Vill- Jorarpur Po Daily , P.s -
Harnaut, District Nalanda.

... .. Petitioner

Versus

1. The Union Of India through Home Secretary, Govt. of India North Block
New Delhi
2. Director General, Central Industrial Security Force, C.G.O. Complex, Delhi.
3. Inspector General, Central Industrial Security Force Kolkata.
4. Deputy Inspector General , Central Industrial Security Force, Durgapur Steel
Plant Distt Burdwan.
5. Sr. Commandant , Central Industrial Security Force, Durgapur Steel Plant
Distt Burdwan.

... .. Respondents

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Appearance :

For the Petitioner/s	:	M/s Surendra Kumar Singh, Ram Yash Singh & Vaibhav Vikram Singh
For the Respondent/s	:	Mr.S.D Sanjay Addl. Soc. Gen.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-04-2019 At the very outset learned ASG appearing for the

respondent Union of India raises an objection regarding

availability of alternative remedy by way of appeal before

respondent No. 3.

The order of petitioner's removal from service dated
15.12.2015 passed by Senior Commandant of the respondent
Force is under challenge in the instant proceeding. By virtue of
pendency of the instant proceeding, petitioner's appeal by now
would have become time barred. Bonafide pending proceedings
in a Court of law is normally considered to be sufficient cause



for the purpose of condoning delay prescribed for the appeal.

In view of the aforesaid circumstances, this Court would consider it appropriate that the petitioner may prefer his appeal before respondent No. 3 positively within four weeks from today.

In the event same is done, respondent No. 3 would be obliged to consider the same upon its merit and dispose it of by a reasoned and speaking order in accordance with law without raising the issue of delay

The writ petition is disposed of.

(Madhuresh Prasad, J)

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