

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13172 of 2011

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CHAUDHARY FANINDRA RAI S/O Late Chaudhary Udit Narayan Rai R/O
Vill.- Lakshmipur Batho, P.S.- Bahera, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. THE BIHAR STATE ELECTRICITY BOARD
2. Secretary, Most. Bihar State Electricity Board, Patna
3. Joint Secretary, Bihar State Electricity Board, Patna
4. Chief Engineer, Bihar State Electricity Board, Patna
5. Electrical Executive Engineer, Thermal Power Project, Kanti, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur
For the Respondent/s : Mr.Nikesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 29-07-2019 Heard counsel for the petitioner and counsel for the respondents-company.

Counsel for the petitioner submits that order of punishment has been passed without observing procedural requirement and as such order is in violation of the principle of natural justice.

Counsel for the respondents-company submits that punishment is minor, withholding of two increments with non-cumulative effect in a departmental proceeding held on the charges of insubordination, irresponsibility towards duty and financial loss to the Board. He further submits that the petitioner has remedy before the Chairman/ Managing Director of the



Power Holding Company.

In view of objection raised by counsel for Company, writ petition is disposed of with liberty to the petitioner to approach the appellate authority.

Since matter is being disposed of on the objection raised by respondent-company, this court would observe that if petitioner approaches the appellate authority within eight weeks, claim of the petitioner shall be considered by the respondent-authorities on its own merits without raising issue of delay. Appellate authority should dispose of appeal of the petitioner without undue delay.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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