

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4440 of 2016

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Vijay Singh Son of late Dashrath Singh Resident of Village- Terri PS-
Mehandia district Arwal.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner-cum-Secretary, Water Resources Department ,
Government of Bihar,Patna
3. The Chief Engineer Water Resources Department , Government of
Bihar,Patna
4. The Superintending Engineer, Water Resources Department, Dehri on Sone,
Rohtas at Sasaram.
5. The Executive Engineer, Water Resources Department Sone Nahar
Adhunikikaran Permal Nasriganj District Rohtas at Sasaram
6. The Accountant General Bihar, Patna.
7. The Treasury Officer, Arwal District Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar No. 1
For the Respondent/s : Mr.Satyendra Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 19-06-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Counsel for the petitioner submits that punishment
which forms issue in the instant proceedings was subject matter
of criminal proceeding in GR no. 619/2002 before the Sub
divisional Judicial Magistrate, Bikramganj. He submits that
petitioner on the same set of charge had been acquitted from the
criminal charge as would be evident from the order of the
appellate court dated 30.06.2014.



Placing reliance on the acquittal of criminal case for the same allegation and on the same set of charge, he submits that he would be approaching respondent no.2 (The Commissioner-cum- Secretary, Water Resources department) with representation to consider punishment awarded to the petitioner placing reliance on the judgment of the Apex Court in the case of M. Paul Anthony vs. Bharat Gold Mines Ltd and another reported in 1999(3) SCC 679.

In view of said submission since consideration has to be made by the respondent-authority, writ proceedings need not be kept pending.

Writ petition is disposed of with the liberty as prayed for.

(Madhuresh Prasad, J)

s.hassan/-

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