

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17715 of 2019

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Raman Kumar Sinha, Son of Late Jagdish Narayan Prasad Sinha, Resident of
Belan Bazar, Quarer No. 8, P.S. Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department, Bihar,
Patna.
2. The District Magistrate Lakhisarai.
3. The Circle Officer Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Advocate
		Mr. Ratnakar Ambast, Advocate
For the State	:	Mr. Raj Kishore Roy, G.P.-18

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 23-10-2019

Heard learned counsel for the parties.

2. The petitioner was working as *Nazir*/clerk at Circle Office, Lakhisarai, at the relevant point of time when he was given an additional charge of *Nazir* of Lakhisarai Block as well. It is the case of the petitioner that an amount of Rs.57,748.02 was wrongly entered by him under the head 'welfare cess' at page 9 of the ledger book, inadvertently in place of Rs.23,611.02. He wanted rectification of error in the entry, and since the same was not being done, he approached this Court by filing a writ application giving rise to CWJC No. 8909 of 2017, seeking direction for rectification. The writ petition was disposed of, on 12.04.2018 directing the Collector to consider the petitioner's grievance and dispose of his representation, if filed. The petitioner filed his representation which has been disposed of by the District Magistrate, Lakhisarai, by a detailed order dated 14.06.2019.



3. The District Magistrate, after having examined the materials on record, has come to a conclusion that a disciplinary action was required against the petitioner for committing financial irregularities and negligence on his part in discharge of his official duties.

4. Learned counsel appearing on behalf of the petitioner has submitted that the opinion formed by the District Magistrate in the impugned order is incorrect and it was solely because of inadvertence that an incorrect figure was entered into the ledger book under the head 'welfare cess' at page 9, which aspect has been taken against him.

5. This writ application on behalf of the petitioner, in my view, is premature, as, till date no action has been taken against him. Wrong entry made by him in the ledger was inadvertent or deliberate can be looked into by appropriate authority at appropriate stage. This application is thus disposed of with observation that the petitioner shall be at liberty to take any defence as may be available to him in a disciplinary proceeding, if such proceeding is ever initiated.

(Chakradhari Sharan Singh, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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