

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20190 of 2019

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Abul Fazal Md. Nasir S/o Ahmad Hussain Shams, resident of Line Masjid,
Kishanganj, P.O. and P.S. Kishanganj Bazaar, Dist- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Cooperative Department, Government of Bihar, Patna.
2. The Secretary, Cooperative Department, Government of Bihar, Patna.
3. The Registrar, Cooperative Societies, Government of Bihar, Patna - cum-Disciplinary Authority.
4. That Joint Registrar, Cooperative Societies, Government of Bihar, Patna-cum- Enquiry Officer.
5. The Assistant Registrar, Cooperative Societies, Purnea Circle, Purnea.
6. The District Magistrate, Purnea.
7. The Bihar State Food and Civil Supplies Corporation, through its Managing Director.
8. The District Manager, Bihar State Food and Civil Supplies Corporation, Purnea - cum - Presenting Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nikhil Kumar Agrawal
For the Respondent/s : Mr.Chitranjan Sinha (PAAG-2)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-11-2019 Heard learned counsel for the parties.

2. The petitioner was working as Block Cooperative Extension Officer, at the relevant point of time, at Baisi, in the District of Purnea. He has put to challenge an order dated 03.06.2019, passed by the Registrar Cooperative Societies, Government of Bihar, who is the disciplinary authority, whereby after holding a disciplinary proceeding, punishment of dismissal



from service has been awarded on him.

3. Learned counsel representing the Respondents has raised a preliminary objection over maintainability of the writ application on the ground that the petitioner has statutory remedy of appeal against the impugned order.

4. Learned counsel for the petitioner does not dispute the fact that the petitioner has remedy of statutory appeal against the order, which is under challenge.

5. Considering the facts and circumstances, this writ application is disposed of with an observation that the petitioner shall be at liberty to prefer an appeal against the impugned order before the appellate authority.

6. Since it is a case of dismissal from service, it is directed that if such appeal is preferred within one month from today, the same shall be disposed of by the appellate authority on merits within six months thereafter.

7. This disposes of the application.

(Chakradhari Sharan Singh, J)

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