

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1552 of 2020

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Sri Denesh Prasad Yadav S/o Sri Mohan Prasad Yadav Resident of Prabhat Colony Chas Bokaro, P.S.- Chas, District- Bokaro (Jharkhand), at present posted as Junior Engineer, P.H. Section Chewara, P.S.- Chewara, Distt-Shekhpora.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Joint Secretary, Managing Cell of P.H.E.D., Bihar, Patna.
3. The Engineer-in-Chief cum Special Secretary, P.H.E.D., Bihar, Patna.
4. The Under Secretary, P.H.E.D., Bihar, Patna.
5. The Additional Secretary, P.H.E.D., Bihar, Patna.
6. The Chief Engineer, P.H.E.D., Bhagalpur.
7. The Executive Engineer, P.H.E.D., Bhagalpur.
8. The Assistant Engineer, P.H. Sub Division, Munger.
9. The Account Officer of Accountant General, Bihar, Patna.
10. The Cashier, P.H.E.D., Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nawal Kishore Prasad, Adv.
For the AG	:	Mr. Uday Kumar, Adv.
For the State	:	Mr. Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-01-2020 This writ application has been filed for quashing of an order dated 24.11.2014, passed by the Joint Secretary, Managing Cell of PHED, Government of Bihar. The said purported order has been brought on record by way of Annexure-6 series, which is apparently not an order rather a report submitted in connection with misappropriation of public money against the petitioner on the basis of forged certificates.



The application to the said extent in Court's opinion, is misconceived. It appears that a departmental proceeding was initiated against the petitioner and a final decision has been taken with imposition of punishment of stoppage of two increments with cumulative effect issued vide Memo No. 310 dated 11.02.2019, which has been brought on record by way of Annexure-13 to the writ application.

Learned counsel for the petitioner, while making submissions, has contended that the petitioner has been illegally transferred. The Court finds it difficult to comprehend the relief which the petitioner is actually seeking. The petitioner shall be at liberty, if so advised, to question the correctness of the order of punishment before appropriate forum in appropriate proceeding in accordance with law.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Rajesh/-

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