

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7610 of 2021

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Rajendra Kumar Son of Late Jayanti Prasad, Resident of Village - Khaira, P.S.
- Haveli Kharagpur, District - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Commissioner and Secretary Cabinet Secretariat and coordination depatt. Govt. of Bihar, Patna.
3. The Secretary and Commissioner to the Governor, Governors, Secretariat Raj Bhawan, Patna.
4. The Principal Secretary to Governor, Governor Secretariat, Raj Bhawan, Patna.
5. The Enquiry Officer cum O.S.D. to Governor, Governors' Secretariat, Raj Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Adv. Mr. Pranav Kumar, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, G.A.- 7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2021 Heard Mr. Bindhyachal Singh, learned senior counsel

for the petitioner and Mr. Gyan Praksh Ojha, learned Govt.

Advocate No. 7 for the State through video conferencing.

Learned senior counsel for the petitioner submits that

pursuant to the Circular dated 23rd August, 1963 bearing Memo

No. III / R1- 102/ 63 A – 10158 at Clause 7, the petitioner has

filed a review petition before the Respondent No. 3 i.e.

Secretary and Commissioner to the Governor, Governor's

Secretariat, Raj Bhawan, Patna praying therein for review of the

dismissal order dated- 05.10.2001 passed in the departmental



proceeding. Learned senior counsel submits that petitioner has been acquitted in the criminal case for the same charges vide order dated 14.01.2020 (Annexure -3 to the writ petition).

Learned counsel for the State submits that since the petitioner has already filed review petition before the Respondent No. 3, this Court may consider to direct the Respondent No. 3 to decide the review petition filed by the petitioner in accordance with law within a period of two months.

Having heard learned counsel for the parties and taking into consideration nature of dispute, without expressing any opinion on the merit of the case, this writ application is disposed of with a direction to the Respondent No. 3 to consider the review application filed by the petitioner in accordance with law and to dispose of the same within a period of three months from the date of receipt / production of a copy of this order.

With the aforesaid observation and direction, this writ application stands disposed of.

(Anil Kumar Sinha, J)

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