

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4279 of 2020

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Chhotelal Prasad Son of Late Khublal Prasad Resident of Locality- Jagdeo Nagar, Baulia Road, Police Station- Sasaram (Town), District- Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Govt. of Bihar.
2. The District Magistrate, Rohtas.
3. The Additional District Magistrate cum Enquiry Officer, Rohtas.
4. The District Programme Officer, Sasaram, Rohtas.
5. The Child Development Project Officer, Karahgar, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harsh Vardhan
For the Respondent/s : Mr. Prasant Pratap, GP-2

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 05-04-2022

Heard learned counsel for the parties.

In the instant petition, petitioner has prayed for the following relief/reliefs:

“That this writ application is ex debito justitiae filed on behalf of the petitioner for issuance of appropriate writ, order, direction for the following reliefs:-

(i) For quashing/setting aside the order impugned as contained in order no.



74/19-20 dated 06.01.2020 passed by the Respondent No.2 whereby and whereunder the petitioner has been dismissed his service. It has been further held that the petitioner would not get any thing other than the subsistence allowance during the suspension period and will not be entitle for pension and employment in Govt. Service.

(ii) For a declaration that the Memo of charge dated 04.10.2018 is without jurisdiction and unsustainable in eye of law as well as the same has not been framed and approved by the competent authority.

(iii) For a declaration that the finding of the inquiry officer, disciplinary authority are based on no evidence.

(iv) For commanding the Respondents to restore the petitioner to the post of clerk with all consequential benefits as if the orders impugned were never in existence.

(v) For grant of any other relief (s) to which the petitioner may be found entitled to in the facts and circumstances of this case.”

Undisputedly, petitioner has invoked the remedy of appeal before the appellate authority and, as such, appeal is pending consideration before the appellant authority. In the light of above facts and circumstances, the appellate authority is hereby directed to decide the petitioner's appeal within a period



of three months from the date of receipt of this order.

Accordingly, the present writ petition stands disposed of.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.04.2022
Transmission Date	NA

