

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.120 of 2022

In
Civil Writ Jurisdiction Case No.7439 of 2021

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Sudarshan Singh, son of Late Bindeshwar Singh, resident of Mohalla-Jairam Bazar, Khagaul Pethiya, Police Station-Khagaul in the district of Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
4. The Additional Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna.
6. The Enquiry Commissioner, General Administration Department, Government of Bihar, Patna.
7. The Chief Engineer, Muzaffarpur, Minor Irrigation Department, Government of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Opposite Party/s : Mr.Anjani Kumar (AAG- 4)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 13-07-2022

Heard learned counsels for the respective parties in the review petition.

Learned counsel for review applicant submitted that he has attained the age of superannuation and retired from service on 31.12.2014. Same has not been brought to the notice of this Court while disposing C.W.J.C. No. 7439 of 2021 dated 11.05.2022. Thus present review petition has been filed in order to



modify para 6 and 7 of the order dated 11.05.2022.

Having regard to the fact that review applicant has attained the age of superannuation and retired from service on 31.12.2014, the question of review applicant shall be taken back to duty is impracticable and further the intervening period from the date of penalty till reinstatement in para 7 of the order dated 11.05.2022 are to be modified/reviewed.

Accordingly, the word in para 6 of the order dated 11.05.2022 “The petitioner shall be taken back to duty, subject to outcome of disciplinary proceedings to be initiated and completed” is deleted. Similarly in para 7 the word “till reinstatement order is passed” is deleted. Further petitioner’s service benefit shall be regulated subject to outcome of fresh enquiry. In the meanwhile, concerned respondent is hereby directed to extend provisional pension in accordance with law within a period of two months from the date of receipt of this order. To the above extent, earlier order dated 11.05.2022 passed in C.W.J.C. No. 7439 of 2021 stands reviewed.

Accordingly, present review petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.07.2022
Transmission Date	

