

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13756 of 2021

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Ravindra Kumar, S/o Late Kapileshwar Prasad, Resident of Ward No.- 15,
Behind Jail, Rajendra Nagar Supaul, District- Supaul (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Pr. Secretary, General Administration Department, Bihar, Patna.
3. The Commissioner, Saharsa.
4. The District Magistrate and Collector, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jayant Kumar Karn, Advocate
For the Respondent/s : Mr.Dhurendra Kumar, AC to GP5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The writ application has been filed being aggrieved by
petitioner's dismissal from service under impugned order dated
04.06.2020.

The specific averment of the petitioner in the writ
proceedings is that he preferred an appeal on 23.09.2020 against
the said order of dismissal before the Respondent No.3. This
fact is not denied or disputed, though counter affidavit has been
filed by the State.

Since the appeal is pending, this Court, for the
present, would not be inclined to express any opinion on the



order of dismissal. The Court, however, would observe that while filing counter affidavit the least that was expected is that the respondents should have expressed some kind of remorse for pendency of the appeal since 23.09.2020.

The fact of pendency of the appeal being admitted for more than two years, this Court would only observe that the petitioner cannot be visited with any adverse consequences on account of pendency of the appeal.

The writ application is disposed of with a direction to Respondent No.3 to pass a final order on petitioner's appeal, showing due consideration of the points urged by him, by a reasoned and speaking order, in accordance with law, within four weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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