

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2233 of 2021

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Dharmendra Sah S/o Raj Banshi Sah resident of Village - Sirsaon Mathiya,
PS- Dharaunda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar the Chief Secretary Govt. of Bihar, Patna.
2. D.G. of Police Bihar, Patna.
3. D.I.G. Rail Patna.
4. S.P. Rail Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shruti Sinha
For the Respondent/s : Mr. Lalit Kishore (Ag)

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

Date : 27-01-2022

The matter is heard via video conferencing due to
circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accepts notice for Respondents.

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

“That this is an application for issuance of an appropriate writ order or direction for quashing memo no.- 2544/Ra.Ka. Dated 17-12-2015 issued by S.P. Rail Muzaffarpur whereby he has dismissed the petitioner from service i.e. Annexure and also for quashing any order if adverse passed by D.I.G. Rail Bihar Patna on the appeal filed by the petitioner during pendency of this application and for grant of all consequential benefits or for any other order or orders which this Hon’ble may deem fit and proper under the circumstances of this case.”



4. The petitioner is not entitled for the aforesaid relief since appeal against the order dated 17.12.2015 passed by the S.P. Rail, Muzaffarpur is still pending consideration before the Appellate Authority. Therefore, 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, failing which, petitioner is entitled to litigation cost and it is quantified at Rs. 10,000/-, since appeal is pending for last 6 years.

5. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	29.01.2022
Transmission Date	

