

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 3595 of 2021

=====

Bishwanath Mandal Son of Late Gopal Bishwas Resident of Village-
Pachhiyari Jhiruwa, Police Station- Renu Gram, P.O.- Basgarha Rampur,
District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Through the District Magistrate, Kishanganj.
2. The District Magistrate Kishanganj, P.S. and District- Kishanganj.
3. The Circle Officer Terhagachh Prakhand, P.s.- Terhagachh, District-
Kishanganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr D K Sinha, Sr Advocate with Mr Shantanu Kumar, Advocate
For the Respondent/s	:	Mr Khurshid Alam, AAG XII

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 25-08-2022 Heard learned senior counsel for the petitioner and the
respondents.

It is submitted by the learned senior counsel that the
petitioner was not afforded any opportunity of hearing at the
proceedings instituted on the basis of charge memo dated
19.02.2016 (Annexure 1)

The learned State Counsel submits that the impugned
order of punishment is appealable under the provisions of the
Bihar Government Servants (Classification, Control & Appeal)
Rules, 2005.

Learned senior counsel submits that some delay has



occurred on account of the matter being pending in this Court. Therefore, this Court would consider it appropriate to dispose of the writ petition granting liberty to the petitioner to avail remedy of appeal before the appropriate authority against the order of punishment dated 31.08.2019 bearing No 442.

It would be open to the petitioner to raise the issue of pendency of the writ proceedings for meeting the issue of delay before the appellate authority.

Writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

U			
----------	--	--	--

