

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2682 of 2020

=====

Ranjan Kumar Chauhan son of Late Jiyalal Singh, resident of Mohalla-Professor Colony, Ward No. 6, Nirmali, P.s.- Nirmali, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna
2. The Additional Secretary, General Administration Department, Government of Bihar, Patna
3. The Commissioner, Patna Division, Patna-cum-Enquiry Officer,
4. The Joint Secretary, General Administration Department, Government of Bihar, Patna
5. The Deputy Secretary, the In-Charge of Section-2, General Administration Department, Bihar, Patna-cum-Presenting Officer,
6. The Under Secretary, General Administration Department, Government of Bihar, Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. Manish Kumar (GP-4)

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 14-09-2023 Heard the parties.

2. The petitioner has moved before this Court for issuance of an appropriate writ in the nature of *certiorari* for quashing the impugned order of penalty issued vide Memo No. 15956 dated 6.12.2018 (contained in Annexure-19) issued by under the signature of the Respondent no.6 whereby and whereunder in a departmental proceeding in violation of Rule 19 (1)(a) of the Bihar C.C.A.Rules, 2005, as well as without proving the charges leveled into the Prapatra 'K' by way of adducing any witness and without considering the fact that departmental proceeding was initiated against the petitioner for



becoming accused in Nirmali P.S. Case No. 32 of 2012 dated 20.5.2012 under section 427,504,506,307 of the I.P.C. and in this case in a full fledged trial the petitioner has been acquitted on 4.2.2016 (contained in Annexure-14) from the learned court of Additional District & Sessions Judge, IIIrd, Supaul vide Sessions Trial No. 210 of 2012 (arising out of Nirmali P.S. Case No. 32 of 2012) minor penalties have been imposed upon the petitioner which is (i) Censure, (ii) Withholding of two increments of salary without cumulative effect.

3. From the record, it seems that the petitioner has not taken the review route before approaching this Court.

4. In that backdrop, learned counsel for the petitioner submit that he will preferring review petition within a period of four weeks from today.

If the said review petition is preferred, taking into account that the matter was pending before the Patna High Court, the delay be condoned and decision be taken accordingly.

5. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Jyoti/-

U			
---	--	--	--

