

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16587 of 2016

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Rishikesh Kumar Son of Sri Deonarayan Yadav, Senior Auditor Class-II,
Finance Audit Department, Muzaffarpur, P.S.-

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Finance Department, Bihar Patna
2. The Special Secretary-cum-Chief Accounts Controller, Finance Audit Department, Bihar, Patna
3. The Additional secretary, Finance Department, Bihar, Patna
4. The Under Secretary, Revenue Board, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh
For the Respondent/s : Mr. Anil Kumar Singh, GP 26

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-01-2023 **I.A. No. 01/ 2019**

This interlocutory application has been filed by the petitioner for directing the respondents to grant all consequential benefits like full salary, increment, pay fixation etc. consequent upon deemed withdrawal of punishment.

Considering the averments made in the I.A., the same is allowed and the I.A. No. 1/ 2019 shall form part of this writ petition.

Heard the parties.

Petitioner has filed this writ petition for quashing office order No. 68 dated 23.08.2016 (Annexure-10 to the writ petition) passed by respondent No.2 whereby the punishment of



demotion in lowest pay and stoppage of five increments with cumulative effect has been imposed without detailed departmental proceeding and also for consequential benefits.

It is submitted on behalf of the petitioner that during the pendency of this writ petition petitioner has preferred appeal before the Appellate Authority against the impugned order (Annexure-10) who after hearing the parties quashed the punishment order in view of some procedural infirmity and directed the concerned authority to initiate proceeding afresh against the petitioner on the basis of memo of charge (Annexure-13 to I.A. No. 01/ 2019). It is further submitted that till date no fresh proceeding has been initiated on the basis of order passed by the Appellate Authority and the petitioner is still facing the rigours of punishment.

Considering the facts and circumstances of the case and in view of prayer made by the petitioner, the respondents-authorities are directed to conclude the proceeding, in the light of order passed by the Appellate Authority (Annexure-13 to I.A.), within a period of six months from the date of receipt/production of a copy of this order and shall pass a reasoned and speaking order after hearing the parties.

With the aforesaid observation/ direction, this writ



petition stand disposed of.

(Prabhat Kumar Singh, J)

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