

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3722 of 2023

Dayanand Singh S/o Ganesh Prasad Singh, R/o Gram-Adras, P.O.-Mamai,
P.S.-Asarganj, Mamai, Munger, Bihar-813201.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Governemnt of Bihar, Old Secretariat, Patna, Bihar.
2. The Principle Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Banka, Bihar.
4. The Sub-Divisional Officer, Banka, Bihar.
5. The Circle Officer, Shambhuganj, District-Banka, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Aryan Sinha, Advocate
For the State : Mr. Asit Kalim, AC to AAG- 12

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-08-2023 For availing the remedy of appeal before the Divisional Commissioner against the order passed by the District Magistrate dated 25-10-2022, as contained in Annexure 28 to the writ petition, petitioner seeks liberty.

2. Learned counsel for the petitioner submits that his appeal is likely to be met with the issue of delay. It is submitted that Rule 25 in Part VII of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 provides the discretion in the Appellate Authority to condone the delay.

3. This Court would observe that if petitioner move the Appellate Authority within two (2) weeks, the Appellate



Authority would be obliged to consider the petitioner’s claim on merits, without raising the issue of the same being filed by any delay.

4. With liberty, as prayed for, writ petition is disposed of.

(Madhuresh Prasad, J)

Raj kishore/-

U			
---	--	--	--

