

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3989 of 2023

=====

Suresh Prasad son of Jagu Prasad, resident of Village- Meskaur, P.S.- Meskaur, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Patna.
2. The Principal Secretary, General Administration Department, Patna.
3. The Joint Secretary, General Administration Department, Bihar, Patna.
4. The Secretary to the Food and Consumer Protection Department, Government of Bihar, Patna.
5. The Additional Secretary to the Food and Consumer Protection Department, Government of Bihar, Patna.
6. The Under Secretary to the Government, General Administration Department, Patna.
7. The Officer on Special Duty, Food and Consumer Protection Department, Government of Bihar, Patna.
8. The District Magistrate, Supaul.
9. The Secretary, Bihar Public Service Commission, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Indu Bhushan, Advocate
For the State	:	Mr. Ajay Kumar, AC to GP- 4
For the B.P.S.C.	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-08-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. Petitioner has been visited with a minor punishment of censure, dated 02-08-2022 (Annexure- 8). The same is in relation to a charge of the year 2019-20.

3. As per Explanation (2)(i) of Rule 14 of the Bihar



Government Servants (Classification, Control & Appeal) Rules, 2005, the adverse effect of censure on confirmation and promotion is only limited to three (3) consecutive years, after the year of allegation or omission.

4. In the instant case, the year of allegation or omission is 2019-20. Three (3) years period has lapsed. The effect of censure has also lapsed in terms of the Explanation. There is no averment in the writ petition that, in the meantime, his confirmation or promotion has suffered in any manner.

5. Thus it cannot be said that today the petitioner is in any way aggrieved by the censure order dated 02-08-2022. Thus there is no occasion for this court to exercise its extraordinary and discretionary writ jurisdiction for quashing the order of censure.

3. Accordingly, writ petition is dismissed.

(Madhuresh Prasad, J)

Raj kishore/-

U			
---	--	--	--

