

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.23542 of 2013**

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Ashok Kumar Shrivastava Son Of Late Basudeo Prasad Resident Of Mohalla-  
Kashera Toli, Post Office, Police Station- Siwan And District- Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Registration, Excise & Prohibition, Government Of Bihar, New Secretariat Building, Patna
2. The Principal Secretary, Department Of Registration, Excise and Prohibition, Government Of Bihar, New Secretariat Building, Patna
3. The Inspector General, Registration, Bihar, New Secretariat Building, Patna
4. The Assistant Inspector General, Registration, Bihar, New Secretariat Building, Patna
5. The Collector-Cum-District Registrar, Siwan
6. The Deputy District Registrar, Saran, Chapra
7. The Sub-Registrar, Masarakh, Chapra
8. The Inspector Of Registration-Cum-Conduction Officer, Saran Division, Chapra
9. The Enquiry Officer, Saran, Chapra

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-------------------------------------------------------------|
| For the Petitioner/s | : | Mr.Sanjay Kumar Verma, Adv.<br>Mr. Bijay Bihari Sinha, Adv. |
| For the Respondent/s | : | Mr.Anirban Kundu, SC-24                                     |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      23-06-2023                      The present writ petition has been filed seeking the  
following relief:-

“1. That this is an application for issuance of a writ in the nature of certiorari or any other appropriate writ, order or direction for quashing the office order of the respondent-department issued under the hand of the Inspector General, Registration as contained in



Memo No. 5237 dated 18.10.2012 whereby and whereunder in connection with the departmental proceeding the petitioner has been inflicted with the punishment as under Rule 139 of the Bihar Pension Rules in deducting 10% of his pension and further disentitled the petitioner for the payment salary and other benefits except subsistence allowance during suspension period inter-alia for following reliefs:-

- (i). Aforesaid order impugned of the punishment so in view of illegally taken proceeding against the petitioner be highly deprecated and accordingly be declared as illegal, arbitrary and against the sanction of law and accordingly be set aside;
- (ii). The respondents be directed to release the petitioner's pension in full and other pensionary benefit along with interest thereon;
- (iii). The respondents be directed to grant all the consequential benefits to the petitioner.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to assail the order of punishment dated 18.10.2012, by filing appropriate appeal before the Appellate Authority. Liberty, so sought, is granted.

It is needless to state that in case appropriate appeal is filed within a period of four weeks from today, the Appellate



Authority shall consider the same on merits, without being impeded by the issue of limitation and pass a reasoned and a speaking order, in accordance with law, within a period of twelve weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

Ajay/-

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