

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18287 of 2014

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Bhola Bhagat son of Late Bishundeo Bhagat resident of Village - Sundarpur Indratoli, Police Station and Block Surajgarha, District - Lakhisarai, at present under Suspension at Headquarter Block Office - Ramgarh Chowk, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Lakhisarai
3. The Deputy Development Commissioner, Lakhisarai
4. The District Panchayat Officer - cum - Conducting Officer of Departmental Proceeding Lakhisarai
5. The Block Development Officer, Ramgarh Chowk, District - Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy, Adv.
For the Respondent/s : Mr. Sita Ram Yadav, GP-16

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-07-2023 The present writ petition has been filed seeking the following relief:-

“1. That this is an application for issuance of an appropriate writ order or direction for quashing the enquiry report submitted by the Respondent No.4 dated 6.8.2014 the same is contrary to the provisions of Bihar Government Servant (Classification Control and Appeal), Rules-2005 (hereinafter referred as the Rules 2005) specially the provisions made under Rule-17, Sub-Rule-23 (1) (C) and (D) of the Rules-2005 without considering the show cause and assigning reason to each of the charges and relating to evidence the



same has been prepared and virtually the Conducting Officer has accepted the report submitted by Presenting Officer and further be pleased to quash the 2nd show cause notice issued by the District Magistrate Lakhisarai vide memo No.235 dated 26.8.2014 on the basis of above said enquiry report.”

2. At the outset, the learned counsel for the Respondent-State has submitted by referring to paragraph no. 19 of the counter affidavit, filed in the present case that the petitioner has already been inflicted punishment of freezing three increments with cumulative effect and recovery of balance amount from his pay, by an order dated 13.11.2014, passed by the District Magistrate, Lakhisarai, hence, the present writ petition has been rendered infructuous.

3. Having regard to the aforesaid stand taken by the Respondents in their counter affidavit, nothing survives for consideration in the present writ petition, hence, the present writ petition stands dismissed as having been rendered infructuous.

(Mohit Kumar Shah, J)

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