

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19107 of 2014

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Sheela Devi, Wife of Late Bishwanath Singh, resident of Village- Sabbalपुरi,
Police Station- Panjwara, District- Banka, At present C/o Dhiraj Kumar
Singh, Panna Mill Compound Bounsi Road, Bhagalpur, Police Mozahidpur,
District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bihar State Road Transport Corporation, Birchand Patel Road, Patna.
3. The Administrator, Bihar State Road Transport Corporation, Birchand
Patel Road, Patna.
4. The Divisional Manager, Purnea, Bihar State Road Transport Corporation,
Purnea.
5. The Superintendent, Bihar State Road Transport Corporation, Purnea
Division, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rabindra Kumar Choubey, Adv.
For the Respondent/s	:	Mr. Gyan Shankar, AC to GP-2
For the BSRTC	:	Mr. Anand Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date : 17-08-2023

The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for issuance of
appropriate writ, order or direction for quashing
the dismissal order of her late husband passed by
Respondent No.4 and communicated vide Memo



No. 518 dated 09.04.2005 (Annexure-4) by which order, the late husband of the petitioner was awarded the said without punishment of dismissal from service without initiation of the departmental proceeding and as such the so called validity of under challenge order passed by the Respondent No.4 is/was quite illegal, arbitrary and malafide and in violation of natural justice.”

2. Admittedly, the present writ petition is not maintainable in view of the judgment, rendered by a coordinate Bench of this Court in the case of *Sidheshwar Prasad vs. Bihar State Road Transport Corporation and Others*, reported in 2003(2) PLJR 842 as also in view of the judgment dated 29.11.2022, rendered by the learned Division Bench of this Court in the case of *Rajeshwar Prasad vs. The State of Bihar & Ors.* (LPA No. 822 of 2015), nonetheless, the learned counsel for the petitioner prays that a direction be issued for expediting the proceedings of the case to be filed by the petitioner, in case the petitioner invokes the mechanism provided for under the Industrial Disputes Act, 1947 (hereinafter referred to as “the Act, 1947”).

3. It is needless to state that in case, appropriate petition is filed by the petitioner under the provisions of the Act, 1947, the concerned authority shall expedite the matter and pass appropriate orders



thereon, forthwith.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2023
Transmission Date	NA

