

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16224 of 2013

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Nageshwar Sharma Son Of Late Bindeshwari Sharma Resident Of Village -
Hempur, P.S. - Nauhatta, District - Saharsa Presently Working As Chowkidar
1/4 Nauhatta Police Station, District - Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Saharsa
3. The Superintendent Of Police, Saharsa
4. The Sub Divisional Officer, Sadar, District - Saharsa
5. The Circle Officer, Nauhatta, District - Saharsa
6. The Station House Officer S.H.O, Nauhatta Police Station, District - Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate
		Mr. Suraj Kumar, Advocate
For the Respondent/s	:	Mr. Sita Ram Yadav, GP-16.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

4 06-02-2023 Heard the parties.

The petitioner admittedly was punished by the orders of District Magistrate, Saharsa as shocking his two increments with cumulative effect. He has not filed an appeal against the said order to the Commissioner as is required under CCA Rules and approached directly to this Court, the writ would not lie unless statutory remedy of appeal is exhausted.

Granting liberty to the petitioner to file an appeal, this writ petition is accordingly dismissed as not maintainable.

If an appeal is preferred now the question of



limitation would not come in way for the petitioner and the same shall be decided expeditiously by the concerned Appellate Authority after giving the opportunity of hearing to both the sides.

With the said observation, this writ petition is disposed of accordingly.

(Sanjeev Prakash Sharma, J)

Brajesh Kumar/-
Item no.58

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