

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11822 of 2021

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Dilip Kumar Sinha Son of Sri Kanhaiya Lal Residing at Gola Road Behind Telecom Colony, P.O. and P.S. - Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
3. The Joint Secretary, Planning and Development Department, Government of Bihar, Patna.
4. The Additional Deputy Secretary, Planning and Development Department, Government of Bihar, Patna.
5. The Additional Director, Planning and Development Department, Government of Bihar, Patna.
6. District Planning Officer, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-11-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1.(i) For issuance of a writ in the nature of 'Certiorari' for quashing the order dated 28.01.2020 as contained in memo No.411 issued under the signature of the Joint Secretary to the Government whereby and whereunder the petitioner has been inflicted with punishment of censure and stoppage of one increment with cumulative effect under Rule 14 (i) & (vi) of the Bihar Government Servant (Classification Control and Appeal) Rule 2005 taking into account that the same is patently illegal as also



that the petitioner has suffered a lot due to such pendency as promotional benefit and his other benefits has been withheld and as his retirement date is 31.05.2021 his retiral benefits would also be effected and the appeal filed by him is pending and in the alternative to direct the respondent to dispose of the appeal and pay all the admissible dues and not to withhold the same on the ground of pendency of the appeal.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file a Review Petition qua the order dated 28.01.2020, passed by the Joint Secretary to the Government, Planning and Development Department, Government of Bihar, Patna. Liberty so sought is granted.

3. It is needless to state that in case appropriate Review Petition is filed within a period of two weeks from today, the Reviewing Authority shall considered the same, in accordance with law and pass a reasoned and a speaking order, within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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