

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2433 of 2018

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Akshaya Kumar Singh son of Late Harinandan Singh, resident of Village-
Devapur, P.S.- Barouli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Social Welfare, Bihar, Patna.
3. The Director, Department of Integrated, Child Development Scheme of Social Welfare, Bihar, Patna.
4. The District Magistrate, Siwan Collectorate, Siwan.
5. The Conducting Officer-cum- Additional Collector, Siwan Collectorate, Siwan.
6. The Presenting Officer-cum- District Programme Officer, Siwan Collector, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Mr. Mithilesh Pd. Sahay
For the State	:	Mrs.Sangeeta Mitra Ghosh AC to GA 7

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 09-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
quashing the Memo No. 106 dated 01.09.2016 by which the
petitioner has been dismissed from the service.

3. From the pleadings of the writ petition as
mentioned in the paragraph 19, it transpires that petitioner has
filed memo of appeal on 25.09.2017 before the commissioner,
Saran at Chapra which is still pending.

4. Counsel for the State has raised preliminary



objection that once the appeal against the said dismissal is pending, then this writ petition is not maintainable.

5. In this background, this writ petition is disposed of directing the commissioner, Saran at Chapra to pass the final order within three months from the date of production of the order before him on the appeal filed by the petitioners if the appeal is not disposed of. In the event, if the appeal has already been disposed of, then petitioner shall be at liberty to raise his claim before this Court on fresh cause of action.

(Dr. Anshuman, J)

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