

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2873 of 2018

Pratima Kumari

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pratap Sharma
For the Respondent/s : Mr. Vinay Kriti Singh -GA2
Mr. Sumant Kumar Singh, AC to GA 2

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-11-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
quashing of the Letter No. 308081 dated 20.04.2017.

3. Counsel for the petitioner submits that the
departmental proceeding on the same set of charge has been
initiated in the year 2010-11 against the petitioner in which
petitioner has been exonerated in the said charges. Therefore, on
the same set of charge, another departmental proceeding may
not be initiated and as such the said Letter No. 308081 dated
20.04.2017 may be quashed.

4. Counsel for the State on the other hand submits that
second letter has not been issued at the instance of the
department rather the said letter is the result of order dated
27.01.2017 passed in case no. 5/Lok (Panchayat) and others by



Lokayukta, Bihar, Patna in which it was decided to initiate fresh proceeding against the petitioner.

5. Counsel for the petitioner submits that prior to taking decision to initiate a fresh departmental proceeding against the petitioner, no opportunity has been granted to him before Lokayukta, Bihar, Patna.

6. In this background, this Court is not inclined to interfere in the said letter which is under challenge i.e. Letter No. 308081 dated 20.04.2017 and directs the petitioner to file his representation before Lokayukta explaining all the situation.

7. Till any decision comes from lokayukta, the State is directed not to take any action on Annexure-7.

8. With the aforesaid direction, this writ application is disposed off.

(Dr. Anshuman, J)

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