

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10500 of 2023

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Sheo Mangal Singh Son of Late Ramashish Singh, Resident of Village-
Mission Compound, Mohalla East Dahiyawa, Town Chapra, Police Station-
Chapra Town, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Law,
Government of Bihar, Patna.
2. The High Court of Judicature at Patna, through the Registrar General.
3. The Registrar General, Patna High Court, Patna.
4. The Registrar, Civil Court, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Kumar Singh, Advocate
For the Respondent/s	:	Mr. Alok Chandra, AC to GA-7
For the P.H.C.	:	Mr. Piyush Lal, Advocate

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This petition is filed for directing the respondent
no.3 to dispose of the Appeal filed by the petitioner on
18.10.2017 against the Order No. 38A of 2008, dt. 19.04.2008
passed by the Enquiry Case No. 01 of 2005 and also the Order
No. 4A of 2006 dt. 01.02.2006 for which the petitioner was
awarded punishment of stoppage of two increments with the
recurring effect holding the petitioner guilty of negligence and
dereliction in discharge of his duties.

3. It is the specific contention of the learned counsel



for the petitioner that though the appeal was filed in the year 2017, it was not yet numbered or disposed of by the Concerned Authorities.

4. It is the case of the petitioner that he retired as an employee of Chapra Civil Court on 31.08.2008 as Seristedar. He was the office clerk in the office of First Munsif, Chapra since September 1999. On 07.09.1999, one Irfan Ali filed a petition before the District Judge, Saran that the Title Suit No. 110 of 1990 was pending in the Court of Munsif – Ist, Chapra at the stage of arguments and also alleged against the petitioner that he in collusion with another employee misplaced exhibits J/I at the instance of defendant. On 25.02.2005 the petitioner filed a detailed explanation to the show cause notices dt. 25.02.2005 and 19.12.2005. The District Judge, Saran found the petitioner and one Shambhu Chaudhary guilty of the charges and awarded punishment of denying three annual increments to both of them dt. 01.02.2006 for which the appeal was preferred by the petitioner on 18.10.2017 before the appropriate Authority under Bihar C.C.A. Rules. It is specific contention of the learned counsel for the petitioner that he is suffering with heart ailment since 2009 and was implanted with pacemaker on 26.06.2009 and undergoing the regular check-ups. It is further



contended by the learned counsel for the petitioner that earlier the petitioner has filed CWJC No. 16285 of 2015 which was disposed of by this Court on 12.09.2017 wherein the petitioner was directed to prefer an appeal before the Competent Authority under Bihar C.C.A Rules and accordingly has preferred an appeal which was kept pending.

5. On the other hand, the learned for the Standing Counsel for the High Court has reported that an appeal was preferred before the District Judge, Chapra, and the same was transmitted to the Registry of this Court.

6. Taking into consideration the rival submissions of both the parties, this Court directs the Registrar General, High Court of Bihar to look into the matter and to see that the appeal shall be numbered and to place it before the Hon'ble Chief Justice for passing the appropriate orders.

7. With the said observations, the writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

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