

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10865 of 2021

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Dina Nath Ram, Son of Matukdhari Ram, Resident of Village-Merhuka, P.S.
and P.O.-Sahajitpur, District-Saran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture.
2. The Principal Secretary, Department of Agriculture, Government of Bihar, Secretariat, Patna.
3. The Director, Agriculture, Bihar, Patna.
4. The Joint Director (Shasya), Saran Division (Chapra).
5. The District Agriculture Officer, Gopalganj.
6. The Block Development Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Rai, Advocate
For the Respondent/s : Mr.Ashok Kr. Pathak, AC to GP-21

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) Commanding the respondents not to proceed with any departmental proceeding/disciplinary proceeding in connection with the alleged claim by the respondent number 5 of the petitioner's liability to pay Rs. 19,83,434/- (Nineteen lacs Eighty Three Thousand Four hundred and Thirty four) only to the State;

(II) Quashing departmental/disciplinary proceeding in regard to the above claim and quash

(III). Quashing the show-cause notice bearing



memo no.-2(go) Si-2- 04/2020-753 dated 24/8/2020 (Annexure-4) issued by the Deputy Director(Pra) cum Additional Secretary, Agriculture Directorate to the petitioner, the letter no.- 54 dated 4/8/2020 (Annexure3) and letter no. 68 dated 10/9/2020 (Annexure 6) sent by the District Agriculture Officer, Gopalganj (Respondent no. 5) to the respondent no. 6 and 4 respectively;

IV. Commanding the respondents to recalculate the petitioner's liability if any correctly and realistically and grant a reasonable time to the petitioner to deposit that amount.”

2. At the outset, the learned counsel for the respondent-State has submitted, by referring to an order dated 13.09.2021, issued by the Director, Agriculture, Bihar, Patna, whereby and whereunder the departmental proceeding in question has been initiated against the petitioner that the departmental proceeding in question has been initiated by the competent disciplinary authority, hence it is wrong to contend that the disciplinary proceeding has been initiated by an incompetent authority. The said fact is not disputed by the learned counsel for the petitioner, however, he submits that the show-cause reply and objections, filed by the petitioner be considered and the departmental proceeding be concluded



within a time bound period. It is directed accordingly.

3. It is needless to state that the disciplinary authority shall ensure conclusion of the departmental proceeding, initiated vide order dated 13.09.2021, within a period of six months from today.

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

(Mohit Kumar Shah, J)

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