

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23187 of 2012

=====

Lala Ram Jivan Prasad, Son Of Late Kishun Lal, (Retired Accounts Clerk)
Resident Of Ram Nagar, T.N. Singh, Colony, Police-Station- Khajanchi Hat,
At/ District- Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Minor Water Resources Vikas Bhawan, Patna
3. The Project Co-Ordinator, Tube-Well Project Minor-Water Resources
Viswesraiya Bhawan, Patna
4. The Chief Engineer (South) Tube-Well Wing Minor Water Resources
Sheikhpura, Patna
5. The Superintending Engineer, Tube-Well Circle, Mithapur, Patna
6. Executive Engineer, Tube-Well Division, Bhagalpur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Girindra Mohan Thakur, Advocate
For the Respondent/s : Mr. Gopal Krishna, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 01-07-2024 Heard Mr. Girindra Mohan Thakur, learned counsel

 appearing on behalf of the petitioner and Mr. Gopal Krishna

 learned counsel for the State.

2. Petitioner has *inter alia* prayed for following
reliefs in the paragraphs No.1 of the writ petition:-

*(A.) To quash the departmental proceeding
against the writ petitioner as the same is pending with
the concerned respondent for more than eighteen years
and that too for no fault on the part of the petitioner.*

*(B.) Further the respondents concerned be
directed to forward the petitioners pensionary papers
to the Accountant General, Bihar, Patna without any*



delay as the petitioner retired on 31.3.2011.

(C.) And, the respondent concerned be subjected to heavy cost to compensate the petitioner as he approached the Hon'ble Court earlier for conclusion of the Departmental Proceedings pending against the petitioner and the Hon'ble Court had directed the respondents to conclude the departmental proceedings withing three months from the date of receipt of the order dated 27.04.2002 in C.W.J.C. No.8509 of 2001 (Lala Ram Jivan Prasad Versus the State of Bihar and others) passed by the Hon'ble Court."

3. It has been informed in paragraph no.7 that the petitioner was acquitted of criminal charge by the learned 1st Class, Judicial Magistrate, Civil Court, Madhepura on 29.01.1999 but the same will not absolve the petitioner from disciplinary proceeding, considering the fact that petitioner remained absent unauthorizedly without informing about the criminal case pending against him and had never co-operated in the disciplinary proceeding. It is further informed that considering the fact that petitioner was exonerated and for the same purpose, the departmental proceeding was initiated and taking a lenient view, 90% of provisional pension and gratuity, as well as, retiral benefit has been paid to the petitioner on the basis of revised pay scale, the grievance of the petitioner has been redressed.

4. Mr. Gopal Krishna, learned State counsel, however,



submits that the petitioner, if still aggrieved, may file a detailed representation for any grievance, which has not been redressed. However, a strict view should be taken in the case of the petitioner, considering the fact that he has never co-operated in the disciplinary proceeding.

5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

U			
---	--	--	--

