

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19490 of 2021

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Siyaram Yadav son of Late Subelal Yadav resident of Village and Post Office-
Adhloam, Police Station- Bahera, District- Darbhanga (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Collector-cum- District Magistrate, Darbhanga.
4. The District Panchayat Raj Officer, Darbhanga
5. The Inquiring Authority-cum- Sub- Divisional Officer, Biraul, Distt.- Darbhanga.
6. The Block Development Officer, Tardih, Distt.- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjiv Kumar., Adv.
For the Respondent/s	:	Mr.Kumar Alok, SC-7
		Mr. Satyeshwar Prasad, AC to SC-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-03-2024 The present writ petition has been filed seeking the following reliefs:-

“1(a). For issuance of writ in the nature of certiorari in quashing the memo No. 893 dated 25.07.2019 (Annexure P8 of this writ petition) along with memo of charges (Praptra-K) (Annexure - P8/A of this writ petition) issued by the Inquiring Authority cum Sub-divisional Officer, Biraul (Respondent No. 5), whereby and whereunder the petitioner has been served the memo of charges and was directed to place his defence to the charges contained therein.



(b). For issuance of writ in the nature of certiorari in quashing the Order dated 11.09.2020 as contained in memo No. 1391 dated 11.09.2020 (Annexure P10 of this writ petition) and its corrigendum as contained in memo No. 1423 dated 16.09.2020 (Annexure P10/A of this writ petition) issued by the Collector cum District Magistrate, Darbhanga (Respondent No. 3), whereby and whereunder the petitioner has been dismissed from service with effect from the date of issuance of the order.

(c). For issuance of writ in the nature of mandamus directing the Respondents to reinstate the petitioner with full wages from the date of dismissal.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order of punishment dated 11.9.2020, passed by the District Magistrate, Darbhanga, by filing appropriate appeal. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate appeal is filed, within a period of four weeks from today, the appellate authority shall consider the same on merits, without being impeded by the issue of limitation and shall pass a reasoned and a speaking order, in accordance with law, within a period of



eight weeks, thereafter.

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

(Mohit Kumar Shah, J)

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