

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13319 of 2024

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Vidya Bhushan Dwivedi, Son of Late Ram Suresh Dubey, Resident of
Village- Majhwalia, P.S.- Assaon, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Law (Judicial) Department, Govt. of Bihar, New Secretariat, Patna.
2. The Secretary, Law (Judicial) Department, Govt. of Bihar, New Secretariat, Patna.
3. The Under Secretary, Law Department, Govt. of Bihar, New Secretariat, Patna.
4. The District and Sessions Judge, Siwan, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate
For the Respondent/s	:	Mr.Addl. Advocate General 4
		Mr.Piyush Lall, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

- 2 10-09-2024 1. The petitioner is Shriestedar in the Court of learned Civil Judge, Senior Division at Siwan and on the allegation that he changed the date of Title Suit No. 1207 of 2021, both in the record as well as CIS System, an explanation was called upon from him and on the basis of the said explanation, a preliminary inquiry was initiated vide an order, dated 23rd of March, 2022. The Inquiry Officer submitted a report in which it was referred that the stamp reporting of the petitioner in Title Suit No. 1207 of 2021 is different from stamp reporting of other similar types of Partition Suits wherein fixed court fee has been reported in the similar nature of relief. The Inquiry Officer, *prima facie*,



found that the Shriestedar consciously made such report of charging *ad volerum* court fee in Title Suit No. 1207 of 2021.

2. The learned District and Sessions Judge, on due consideration of the report, passed an order to the effect that one increment of the incumbent would be withheld without cumulative effect and he shall not be posted as Shriestedar in any office in future at least for two years. His conduct shall be watched for two years and the conduct report shall be filed before the learned District & Sessions Judge on every six months from the Presiding Officer under whom he shall be posted.

3. The said order was challenged in appeal before the Hon'ble Administrative Judge – I being the appellate authority. By an order dated 19th of June, 2024, the said appeal was disposed of with the following order:-

“In view of the facts and circumstances, the order no. 10A/2023 dated 06.01.2023 passed by the learned District & Sessions Judge, Siwan is hereby set aside and the matter is remanded back to the District & Sessions Judge, Siwan to give a reasonable opportunity to the delinquent petitioner to explain the allegation of manipulation of the date of hearing in the record of Title Suit No. 1878 of 2022 and on CIS and after inquiry to



pass afresh order in accordance with law.”

4. After receiving the said order, the learned District & Sessions Judge, Siwan vide an order dated 1st of August, 2024, which is impugned here, directed fresh disciplinary proceeding against the petitioner on the ground that making discrepancy in CIS record is a gross misconduct on the part of the petitioner.

5. Having heard the learned Advocate for the petitioner as well as the learned counsel for the High Court Administration, I do not find any illegality in the impugned order and accordingly the instant writ petition is dismissed.

6. However, there shall be no order as to costs.

(Bibek Chaudhuri, J)

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