

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13953 of 2024

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Hari Kishore Sinha son of Late Ram Prasad Sinha, resident of Village -
Basbitta, P.S. Majorganj, District - Sitamarhi, presently residing at Road No.
10, Rajiv Nagar, P.S. - Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Road Construction Department, Govt. of Bihar, Patna.
4. The Deputy Secretary, Road Construction Department, Govt. of Bihar, Patna.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prashant Sinha, Adv.
	:	Mr. Rishi Raj Raman, Adv.
For the Respondent/s	:	Mr. Subhash Pd. Singh, GA3
For the A.G.	:	Mrs. Nivedita Nirvikar, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-09-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Counsel for the petitioner submits that the present writ petition has been filed for quashing of the Memo of charge dated 23.10.2007 issued by the Deputy Secretary-cum-Chief Vigilance Officer, Road Construction Department, Government of Bihar. Further prayer has been made for quashing of the inquiry report dated 21.04.2023 and Notification contained in Memo No.1953(S) dated 02.05.2024 issued by the Deputy Secretary-cum-Chief Vigilance Officer, Road Construction Department and directing the Respondent Authorities to pay all consequential benefits including the arrears of pension and other



retiral benefits.

3. Counsel for the petitioner fairly submits that against the order of punishment, he has preferred Memorial before the Authorities which is annexed vide Annexure-22 of the writ petition. He further submits that till date, no decision has been made by the Authority concerned *i.e.,* Respondent No.3 (The Additional Chief Secretary, Road Construction Department, Govt. of Bihar) and the said Memorial is pending.

4. Counsel for the State submits that the case of the petitioner is premature.

5. In this background, it transpires to this Court that the statutory Memorial is pending before the Respondent No.3. As such, the present writ petition is hereby disposed off directing the Respondent No.3 (The Additional Chief Secretary, Road Construction Department, Govt. of Bihar) to pass final order on the said Memorial within 3 months from the date of production of this order.

6. With the aforesaid direction, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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