

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16422 of 2024

=====

Awadh Singh, Son of Sri Kallu Singh, Resident of Village-Deoria, P.O. Bidauli, P.S.- Bhagwanganj, District -Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Deputy Development Commissioner, Muzaffarpur.
4. The District Programme officer, (Mahatma Gandhi National Rural Employment Guarantee Scheme), Muzaffarpur.
5. The Executive Engineer, Rural Work Department, Work Division, Muzaffarpur West.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel (22)

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

- 2 28-10-2024 1. Learned Advocate for the petitioner seeks permission to make necessary correction in paragraph 1(i) of the writ petition.
2. Permission is accorded.
3. Let necessary correction be done in course of the day.
4. Heard the parties.
5. The petitioner is aggrieved by the order as contained in Memo No. 3943/Abhi., Muzaffarpur, dated 12.09.2023 passed by the learned Deputy Development Commissioner, Muzaffarpur by which the service of the



petitioner as Panchayat Rozgar Sevak under Bihar Rural Development Society, Patna has been terminated on the charges of irregularities pointed out by the inquiry team in execution of different scheme.

6. Apart from the order of termination, the punishment of fine, as well as recovery of the amount spent under the scheme, has also been imposed.

7. Learned Advocate for the petitioner while assailing the impugned order has made various submissions and lastly contended that against the impugned order of termination, the petitioner has preferred Service Appeal bearing Case No. 15 of 2023 before the District Magistrate, Muzaffarpur which is pending consideration since 03.10.2023, but till date, the same has not been taken up.

8. The learned Advocate for the petitioner has also drawn the attention of this Court to the order passed by the Secretary, Rural Development Department dated 01.10.2024 (Annexure-P/6) and urged before this Court that in identical matter the Panchayat Technical Assistant who was also terminated from his service by the same impugned order and directed for recovery of the amount, he has also preferred review application and his termination order has been quashed and further reinstated in his



service.

9. Considering the submissions advanced on behalf of the parties and taking note of the fact that Service Appeal preferred by the petitioner is pending consideration before the District Magistrate, Muzaffarpur, it would be apt and proper to dispose of the writ petition with a direction to the respondent no. 2 to consider the Service Appeal of the petitioner in the light of the submissions made herein, specially the order passed by the Secretary, Rural Development Department, dated 01.10.2024, preferably within a period of 8 weeks from the date of receipt/production of a copy of this order.

10. The writ petition stands disposed off.

(Harish Kumar, J)

supratim/-

U			
---	--	--	--

