

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6563 of 2018

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Mahesh Tiwari Son of Dr. Harinath Tiwari, Resident of Village- Nizampur,
P.O. and P.S. Naubatpur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Labour Commissioner, Department of Labour Resource, Government of Bihar, Patna.
2. The Labour Commissioner, Department of Labour Resource, Government of Bihar, Patna.
3. The Secretary, Department of Labour Resource, Government of Bihar, Patna.
4. The Assistant Labour Commissioner, Department of Labour Resource, Government of Bihar, Patna.
5. The Deputy Labour Commissioner-cum-Conducting Officer, Saran Pramandal, Chapra.
6. The Presenting Officer-cum-Labour Superintendent, West Champaran, Bettiah.
7. The Labour Superintendent, Bettih, Gopalganj.
8. The Labour Superintendent, Siwan.
9. The District Magistrate, West Champaran, Bettiah.
10. The District Manager, State Food Corporation, Bettiah.
11. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lal Babu Singh, Advocate
		Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Raghwendra Kumar, SC-22
For the BSFC	:	Mr. Sanjay Prasad, Advcoate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 27-03-2024 Heard learned counsel for the petitioner, learned
counsel for the BSFC and learned counsel for the State.

2. The present writ petition has been filed for
quashing the order contained in Memo No.537 dated 23.01.2018



issued by respondent No.2 by which punishment order has been passed against the petitioner.

3. Learned counsel for the State raised preliminary objection and submits that order impugned, i.e., Annexure-17 contained in Memo No.537 dated 23.01.2018 is appealable under the Bihar CCA Rules, 2005.

4. In this view of the matter, this writ petition is disposed off directing the petitioner to available the remedy of statutory appeal before the appellate forum within 30 days from the date of order passed by this Court and the appellate authority is directed to pass a reasoned and speaking order on appeal on merit as well as considering all the points which he has raised in the writ petition within 90 days thereafter. Since election has been notified, therefore, 90 days shall be counted from the date of end of election. It is made clear to the respondent that the status quo with regard to granting pension amount to the petitioner shall be maintained till disposal of the appeal.

(Dr. Anshuman, J)

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