

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.93 of 2022

In

Civil Writ Jurisdiction Case No.9330 of 2020

Raj Kumar Srivastava, son of Late Nagendra Prasad Srivastava, resident of 246, Urmila Bhawan, Rustampur, Canal Road, Near Durga Mandir, Gorakhpur, P.S.- Cantt., District- Gorakhpur (Uttar Pradesh) presently residing at A- 21, Sachiwalaya Colony, Kankarbagh, P.S.- Patrakar Nagar, District- Patna- 20

... .. Appellant.

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Joint Secretary, Water Resources Department, Government of Bihar, Patna-cum- Enquiry Officer.
3. The Additional Secretary, Water Resources Department, Bihar, Patna.
4. The Engineer-in- Chief, Water Resources Department, (Headquarter), Government of Bihar, Patna.
5. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Muzaffarpur.
6. The Superintending Engineer, Flood Control Circle, Sitamarhi.
7. The Executive Engineer, Flood Control Planning and Monitoring Division, 18, Water Resources Department, Patna-cum- Presenting Officer.
8. The Executive Engineer, Bagmati Division, Runni Saidpur, Sitamarhi.
9. The Assistant Engineer, Bagmati Sub Division, Runni Saidpur, Sitamarhi.

... .. Respondents.

Appearance :

For the Appellant : None.
For the State : Mr. Anjani Kumar (AAG-4).

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 27-01-2025

I.A. No.01 of 2022:

None appears for the appellant.

2. There is a delay of about 180 days in filing the present L.P.A. No.93 of 2022.



3. For the reasons stated in I.A. No.01 of 2022 read with the fact that delay condonation falls under the COVID period, namely, 27.08.2021 to 23.02.2022, therefore, delay stands condoned and I.A. No.01 of 2022 stands allowed.

L.P.A. No.93 of 2022:

4. None appears for the appellant.

5. Respondent nos.1 to 9 have filed supplementary counter affidavit in which they have furnished the order dated 06.11.2023 by which appellant has been exonerated in the disciplinary proceedings. In other words, order of the learned Single Judge dated 27.07.2021 passed in C.W.J.C. No.9330 of 2020 has been given effect to and orders are in favour of the appellant.

6. Accordingly, the present L.P.A. No.93 of 2022 stands disposed of. Pending Interlocutory Application(s), if any, stands disposed of

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.01.2025.
Transmission Date	NA

