

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4337 of 2025

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Gopal Kumar Chaudhary

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amit Kumar Singh, Advocate
		Mr. Anil Kumar Singh, Advocate
For the Respondent/s	:	Mr. Government Pleader-26
For the Beltron	:	Mr. Girijish Kumar, Advocate
For the Mines	:	Mr. Naresh Dikshit, Advocate
		Mr. Brij Bihari Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-03-2025 Heard the parties.

2. At the outset, learned Advocate for the petitioner seeks permission to make the Director, Mines and Geology as a party respondent no. 7.

3. Permission is accorded.

4. The petitioner is aggrieved with the office order contained in memo no. 287 dated 31.01.2024 issued under the signature of Officer on Special Duty, Department of Mines and Geology, Government of Bihar, Patna by which the services of the petitioner returned to the Bihar State Electronics Development Corporation Ltd. The petitioner is also aggrieved with the office order as contained in memo no. 77 dated 01.02.2024 issued by the Mining Development Officer,



Madhubani by which the petitioner has been relieved from the service pursuant to the afore-noted order.

5. Learned Advocate for the petitioner while assailing the impugned order has contended that the order clearly reflects that the service of the petitioner has been returned back to the Beltron on a complaint levelled against the petitioner with respect to illegal realization of money leading to a decision taken at the level of the department.

6. It is the specific contention of the petitioner that the complaint was apart from anonymous, there had been no substance based upon any material; moreover, the petitioner has never been given any opportunity to rebut the allegation nor even before returning his service to the Beltron. The impugned order is an outcome of complaint; hence in all fairness the petitioner ought to give an opportunity or cause must have been shown to him.

7. Learned Advocate for the Mines Department has drawn the attention of this Court to the representation preferred by the petitioner and submitted that since the petitioner has already represented before the Director, Mines and Geology Department, Bihar, Patna which is pending consideration, the petitioner may pursue his representation.



8. Considering the nature of the grievance raised before this Court and on being found the impugned order based upon an allegation made in the complaint, where the petitioner has not been provided any opportunity to rebut the allegation, this Court deems it appropriate to direct the respondent no. 7 to consider the representation of the petitioner after giving him a proper opportunity of hearing and pass a reasoned and speaking order, taking note of the submissions of the petitioners made before this Court preferably within a period of 12 weeks from the date of receipt/production of a copy of this order.

9. The writ petition stands disposed off.

(Harish Kumar, J)

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