

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5506 of 2025

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Uday Kant Chaudhary @ Uday Kant Chou, Son of Kapleshwar Chaudhary,
Resident of Village-Gaur Andrha, P.O.-Andharatharhi, PS-Rudrapur, District-
Madhubani-847401.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Revenue,
Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The Joint Secretary, Department of Revenue and Land Reforms Department,
Government of Bihar, Patna.
4. That Additional Secretary (Finance), Government of Bihar, Patna.
5. The Director Land Acquisition cum Special Secretary, Department of
Revenue and Land Reforms Department, Government of Bihar, Patna.
6. The District Magistrate, Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shivajee Singh, Advocate

For the Respondent/s : Mr.Standing Counsel (18)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-04-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
present writ petition has been filed seeking the quashing of
Letter No. 937 dated 30.06.2023 and the resolution issued vide



Memo No. 2446 dated 12.12.2024, by which the Presenting Officer and Conducting Officer have been appointed for the departmental proceedings. The petitioner further prays for the grant of promotion to the post of Additional Land Acquisition Officer, maintaining seniority as per the gradation list published on 17.03.2020.

3. Learned counsel for the petitioner submits that Prapatra-Ka is bad in law on the grounds that it was issued without any show cause notice. The said Prapatra-Ka was issued on 30.06.2023, and the Presenting Officer and Conducting Officer were appointed on 12.12.2024, but the departmental proceedings have not yet been concluded.

4. Learned counsel for the State submits that from the annexures attached by the petitioner, it is crystal clear that the Prapatra-Ka was issued, the departmental proceedings were initiated, and the Presenting and Conducting Officers were appointed vide letter dated 12.12.2024 and the writ petition was filed on 04.04.2025.

5. It transpires to this Court that a statutory period of six months is provided to conclude the departmental proceedings, which has not yet lapsed from the date the Presenting Officer and the Conducting Officer were appointed.



Therefore, this Court is of the firm view that the present case is premature. Accordingly, it is dismissed.

6. However, the petitioner shall be at liberty to take further action to move before this Court, as and when the cause of action arises.

(Dr. Anshuman, J)

Ashwini/-

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