

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.663 of 2023

In
Civil Writ Jurisdiction Case No.752 of 2018

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Anand Priyadarshi S/o Late Bachan Prasad Bari Resident of Village-
Ramnagar, P.S. Ramnagar, District- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar Through its Principal Secretary, Department of Agriculture, New Secretariat, Patna
2. The Director, Agriculture, Government of Bihar, Patna.
3. The Additional Secretary, Agriculture Department, Government of Bihar, Patna.
4. The Joint Director Sashy, Agriculture, Saharsa Division, District- Saharsa.
5. The Joint Agriculture Director, Koshi Division, District - Saharsa
6. The Deputy Director, Administration, Agriculture Directorate, Bihar.
7. The Sub-Divisional Agriculture Officer Supaul-cum-Conducting Officer, District- Supaul.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar Srivastava, Advocate

For the Respondent/s : Adv. Anjaneya Singh, A.C. to AAG-13.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 18-09-2025

Appellant has assailed the order of the learned Single
Judge 17.10.2022 passed in C.W.J.C. No. 752 of 2018. For



remaining unauthorized absence for about 5 years, appellant's service were terminated on 29.10.2016. Feeling aggrieved by the order of termination, appellant had preferred an appeal before the Appellate Authority and it was rejected on 06.07.2017.

2. The appellant has not apprised the Appointing Authority/ Disciplinary Authority, reasons for remaining unauthorized absence supported by material information so as to condone or regulate unauthorized absence for a period of 5 years. In the absence of any material information before the Disciplinary Authority/ Inquiring Authority the appellant is improving his case that he was suffering from certain illness and his mother is stated to have died. Those improved version cannot be appreciated in L.P.A.

3. At the initial stage namely, before the Disciplinary Authority / Inquiring Authority, if appellant had apprised and those officers have ignored the contention of the appellant that unauthorized absence for a period of 5 years was due to beyond his control that he was suffering from certain illness and his mother died. Now such contention has been taken to overcome our earlier query whether has he produced any material information relating to medical certificate relating to admission and other things for a period of five years. He could not apprise, on the other hand, he



has filed supplementary affidavit by producing certain medical material information and it is not appreciable. At appeal stage, it is not appropriate to take note of and remand the matter. Accordingly, the appellant has not made out a case. Hence L.P.A. stands dismissed.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Prakash Narayan

AFR/NAFR	NAFR
CAV DATE	NA
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