

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9749 of 2025

Ajay Kumar Verma, Son of Late Ram Deo Prasad, Resident of Flat No. 503,
The Landmark Gold Apartment, Khagaul Main Road, near Curis Hospital,
R.K. Puram, Saguna Mor, Danapur, Police station Rupaspur District Patna
801503.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Minor Water Resources Department,
Government of Bihar, Patna.
3. The Secretary, Minor Water Resources Department, Government of Bihar,
Patna.
4. The Superintending Engineer, Flying Squad, Head Quarter-cum-Inquiry
Officer, Minor Water Resources Department, Government of Bihar, Patna.
5. The Deputy Secretary, Minor Water Resources Department, Government of
Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Sinha 2, Advocate
For the Respondent/s	:	Mr. Government Pleader (17)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-06-2025

Heard the parties.

2. The petitioner is aggrieved with the order dated 01.07.2022 passed by the Deputy Secretary, Minor Water Resources Department, Government of Bihar, Patna, whereby the petitioner has been inflicted with the punishment of deduction of 5% pension for whole life and further recovery of Rs.2,22,222/- from his post retirement benefit.

3. While assailing the impugned order, learned Advocate for the petitioner submitted that despite the fact that



the petitioner has been exonerated from the charges in the course of enquiry by the Conducting Officer; the Disciplinary Authority differing with the finding of the Enquiry Officer, inflicted the punishment in a most arbitrary manner.

4. Learned Advocate for the State interjected at this position and submitted that against the impugned order, the petitioner has already preferred appeal before the Additional Chief Secretary of the Department and the same is still pending and yet to be disposed off.

5. Considering the submissions set forth by the learned Advocate for the parties, this Court finds that since the petitioner has availed the remedy of appeal as provided under Rule 23 of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005, it would be apt and proper to dispose off the writ petition with a direction to the respondent no.2, to take up the appeal of the petitioner; the copy of which is marked as Annexure-P20 followed by Annexure-P21 and bring to its logical conclusion, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

6. It is expected that while disposing the appeal, the respondent authorities shall consider the ground raised by the



petitioner in the present writ petition.

7. The writ petition stands disposed off with the
aforesaid direction.

(Harish Kumar, J)

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