

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3528 of 2017

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Sheonath Pandey Son of Late Jamuna Pandey, Resident of Mohalla - New
Police Line, Sankat Mochan Nagar, Ara, P.S. Ara Town, Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Cooperative Department, New Secretariat Bihar, Patna
3. The Registrar, Cooperative Society, New Secretariat, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra, Adv.

For the Respondent/s : Mr. Rakesh Ranjan, AC to GP22

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 21-02-2025 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 for quashing the order dated 29.12.2016 contained in Memo No.10907/Patna dated 30.12.2016 (annexure-12) passed by the Registrar, Cooperative Department by which punishment has been imposed.

3. Counsel for the petitioner submits that the petitioner has earlier moved before this Hon'ble Court in C.W.J.C. No.9775 of 2009 in which *vide* order dated 17.08.2009, the writ petition was disposed off granting liberty to file revision before the Revisional Authority and the petitioner has moved in Revision Case No.03 of 2009 and the Revisional Authority has set aside the order passed by the Original Authority as well as the Appellate Authority with certain



observations that the petitioner has moved before the enquiry proceeding and after enquiry, Disciplinary Authority has passed order afresh dated 29.12.2016, which he has challenged directly before this Court.

4. Counsel for the State raised objection and submits that the petitioner has alternative and statutorily remedy under the statute for filing an appeal instead of filing the writ petition.

5. In this view of the matter, this Court without entering into merit or demerit of this case, disposed off the present writ petition granting liberty to the petitioner to avail remedy of appeal before the Appellate Authority.

6. It is directed to the Appellate Authority to pass final order in this matter within 90 days from the date of production of this order.

7. Delay, if any, in filing an appeal, is hereby directed to be condoned.

8. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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