

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.568 of 2022

In

Civil Writ Jurisdiction Case No.6429 of 2008

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Bipin Kumar Singh, S/o Late Kuldeep Narayan Singh, R/o – Village -
Shukhpur Dyordhi, P.O. - Shukhpur Dyordhi, P.S. - Supaul, District - Supaul.
At present residing at Mohalla - Dani Bigha, P.O. - Dani Bigha, P.S. -
Aurangabad Town, District - Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The District and Session Judge, Aurangabad.
3. The Sub-Judge III-cum-Judge Incharge, Civil Court, Aurangabad.
4. The 5th Additional District and Session Judge, Aurangabad.
5. The Additional District and Session Judge, (F.T.C. V), Aurangabad.
6. The Additional District and Session Judge, (F.T.C. IV), Aurangabad.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajeev Kumar Singh, Advocate
For the Respondent Nos. 2 to 6 : Mr. Piyush Lall, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 17-02-2025

Heard the learned counsel for the parties.

2. The appellant is aggrieved by the judgment



dated 22.08.2022 passed by a learned Single Judge of this Court in C.W.J.C. No. 6429 of 2008, whereby the punishment inflicted upon the appellant has not been interfered with.

3. It appears from the records that the appellant, who was a Bench Clerk-cum-Office Clerk of Fast Track Court No. IV, Aurangabad, was placed under suspension and was proceeded against departmentally for having burnt 111 Court records. After following the procedure, the appellant was visited with the consequence of penalty of reduction of pay-scale of Rs. 4000 – 6000/- to Rs. 3050 – 4590/-.

4. The contention of the appellant before the learned Single Judge was that the Presenting Officer was not appointed. Apart from this, it has been submitted that such reduction of salary, in perpetuity, is not contemplated in the departmental rules with respect to imposition of punishment.

5. The learned Single Judge found from the



averments made on behalf of the respondents that the Inquiry Officer as also the Presenting Officer were appointed and the departmental proceeding was held in accordance with the rules.

6. The contention of the appellant before the learned Single Judge that the appointment of the Presenting Officer or the Inquiry Officer was not communicated to him was repelled on the ground that there was no such requirement under the rules governing the case of the appellant, namely, the Bihar Civil Court Staffs (Class III and Class IV) Rules, 1998.

7. The other ground raised on behalf of the appellant was also not found to be sustainable, namely, that the author of Document No. 3, in the list of documents, had not been examined.

8. The records revealed that the author of Document No. 3 was employed in Godrej Company and had already left his assignment.

9. We have found no good reason to interfere



with the order of the learned Single Judge, referred to above.

10. There is no merit in this appeal and it is, accordingly, dismissed.

11. Interlocutory application(s), if any, also stands disposed off.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Praveen-II/-

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