

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.632 of 2022
In
Civil Writ Jurisdiction Case No.12450 of 2018

1. The State of Bihar
2. The Chief Secretary, Bihar, Patna.
3. The Principal Secretary, General Administration Department, Bihar, Patna.
4. The Joint Secretary, General Administration Department, Bihar, Patna.
5. The Additional Secretary, General Administration Department, Bihar, Patna.
6. The Deputy Secretary, General Administration Department, Bihar, Patna.
7. The Under Secretary, General Administration Department, Bihar, Patna.
8. The Principal Secretary, Agriculture Department, Bihar, Patna.
9. The Director Agricultural Department, Bihar, Patna.

.. ... Appellant/s

Versus

Raj Nandan Kumar Shyamla Son of Late Mohan Paswan, Resident of Village
and P.S.- Cheria, Bariarpur, District- Begusarai.

... ... Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar, AC to GP 4

For the Respondent/s : Mr. Nandlal Kumar Singh, Advocate
Mr. Manish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 14-05-2025

Re : I.A. No. 1 of 2022

Heard I.A. No. 1 of 2022 filed for condonation of
delay of about 79 days in filing the present LPA No. 632 of
2022.

2. For the reasons stated in the application read with



the affidavit, delay of about 79 days in filing the present LPA No. 632 of 2022 is condoned. I.A. No. 1 of 2022 stands allowed.

3. Respondent - *Raj Nandan Kumar Shyamla* was subjected to disciplinary proceedings and it was concluded in imposition of penalty of dismissal from service on 14.05.2013. The learned Single Judge has taken note that there is defect in inquiry proceedings to the extent that documents which are cited in the inquiry were not made available to the petitioner, resultantly, writ petition was allowed while remanding the matter to the inquiring authority to commence the inquiry from the defective stage, therefore, *prima facie*, the present LPA has no merit.

4. In all fairness, by this time the disciplinary authority should have completed the inquiry proceedings in the light of learned Single Judge order dated 25.07.2022 passed in CWJC No. 12450 of 2018. Thus, appellants have not made out a case so as to interfere with the learned Single Judge order dated 25.07.2022. However, if the disciplinary authority has not completed inquiry proceedings as on this day, the same shall be concluded within a period of three months from the date of receipt of copy of this order.

5. The respondent - *Raj Nandan Kumar Shyamla* is



hereby directed to co-operate in the inquiry proceedings. With the above observation, present LPA No. 632 of 2022 stands rejected.

6. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

GAURAV S./-

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