

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.399 of 2025

Shiva Shankar Verma S/o Sri Ram Pal Verma, I.A.S. (Retired), Flat no. D-4,
Sachida Complex, Ashiana- Digha Road, P.S. - Digha, Distt. - Patna - 800011.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Personnel, P.G. and Pensions, Department of Personnel and Training, Government of India, North Block, New Delhi- 110001.
2. The Under Secretary, Ministry of Personnel, P.G. and Pensions, Department of Personnel and Training Government of India, North Block, New Delhi - 110001.
3. The State of Bihar through the Chief Secretary, Government of Bihar, Patna - 800015.
4. The Chief Minister, State of Bihar, Patna - 800001.
5. Sri Nitish Kumar, Hon'ble Chief Minister, Bihar, 1, Anne Marg, Patna - 800001.
6. The Principal Secretary to Chief Minister, Chief Minister Secretariat, 4 Deshratna Marg, Patna - 800001.
7. The Principal Secretary, General Administration Department, Government of Bihar, Patna - 800015.
8. The Joint Secretary, General Administration Department, Government of Bihar, Patna - 800015.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shiva Shankar Verma (In Person)
For the State	:	Mr. P.K. Shahi, Advocate General
For the UOI	:	Mr. Awadhesh Kumar Pandey, Sr. CGC
		Mr. Lokesh Kumar, Advocate
		Mr. Abhishek Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 21-03-2025

Party in person Mr. Shiva Shankar Verma has been
heard in the matter. He has assailed the order of the learned



Central Administrative Tribunal, Patna Bench, Patna dated 04.11.2024 passed in MA No. 308 of 2022 arising out of O.A. No. 050/0015 of 2022. The learned Tribunal rejected the petitioner's impleadment of the Hon'ble Chief Minister of the State of Bihar, to the extent that he is not necessary and proper party to the adjudication of the O.A. No. 050/0015 of 2022. On 07.01.2022, the learned Tribunal issued notice to the respondents except respondent no. 4-Hon'ble Chief Minister, the State of Bihar and respondent no. 5 by name Shri Nitish Kumar, Hon'ble Chief Minister of Bihar. For impleadment of Hon'ble Chief Minister and that too by name, the petitioner has not apprised the CAT to the extent or what is the role played by him and in what manner he was biased against the petitioner Shiv Shankar Verma. Resultantly, for impleading respondent nos. 4 and 5 in O.A. No. 050/0015 of 2022 has been rejected with cost of Rs. 50,000/-.

2. Today, petitioner in person has contended that earlier in his service conditions, the 4th and 5th respondent has failed to take action timely insofar as redressing his grievance relating to Annual Confidential Report and similarly it is submitted that the memo of charge is not consisting of statement of imputation, therefore, he is necessary and proper party by



name as he was biased. If there is delay on the part of the Hon'ble Chief Minister or his office in respect of ACR matter is concerned that cannot be taken into consideration in the present case for the reasons that the ACR issue is not the subject matter of O.A. No. 050/0015 of 2022 and the present writ petition. Insofar as non compliance to certain provisions of the All India Services (Discipline and Appeal) Rules, 1969 read with the Rules of Executive Business, Bihar, 1979 in that context, petitioner cannot implead the Hon'ble Chief Minister in his official capacity or by name. On the other hand the Chief Secretary, Government of Bihar would suffice.

3. For the reason that the petitioner has not pointed out any *iota* of material evidence to the extent that the Hon'ble Chief Minister had a personal bias against the petitioner. In this regard, the petitioner has not apprised with any material information except that there is delay in deciding the petitioner's service conditions in respect of ACR in the year 2007-15 and further in the present case memo of charge has been framed while violating the statutory provision of law. In the official capacity the Hon'ble Chief Minister may have committed error on that score petitioner is not permitted to implead Hon'ble Chief Minister by designation and by name and therefore we do



not find any infirmity in the order of the CAT dated 04.11.2024.

4. Having regard to the fact that the petitioner has attained the age of superannuation and retired from service on 28.02.2013 cost of Rs. 50,000/- would be on a higher side. Accordingly, para 14 of the CAT order dated 04.11.2024 stands modified to Rs 10,000/-. Cost of Rs. 10,000/- shall be remitted in the Hon’ble Chief Minister Relief Fund within a period of 8 weeks from the date of receipt of this order.

5. With the above observation, the present writ petition stands disposed of.

6. The Tribunal is requested to decide the petitioner’s O.A. No. 050/0015 of 2022 at the earliest, if such a request is made.

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

(P. B. Bajanthri, J)

(Alok Kumar Sinha, J)

ranjan/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	NA

