

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.754 of 2022

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Md. Shakil Jamali, Son of Late Md. Shahabuddin, Resident of Village-Siktihar, Police Station-Bahadurganj, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Director, Land Record and Measurement, Bihar, Patna.
3. The District Magistrate, Supaul.
4. The Settlement Officer, Supaul.
5. The District Magistrate-cum-Settlement Officer, Bhagalpur.
6. The Assistant Settlement Officer (Headquarter), Bhagalpur.
7. Sri Anuj Kumar Jha, The Conducting Officer-cum-Assistant Settlement Officer, Banka.
8. Sri Sonu Bhagat, The Conducting Officer-cum-Kanungo, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-03-2026 Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following reliefs :-

“I. For issuance of a writ of certiorari or any other appropriate writ, order orders direction commanding the respondent authorities for quashing the letter dated 26.06.2021 contained in memo no. 1799 issued by the respondent no. 3, The Director, Land Record & Measurement Bihar, Patna by which he has most arbitrarily and quite erroneously



awarded major punishment and directed to withhold three annual increments with cumulative effect as well as directed to pay only suspension allowance.

A true copy of Letter dated 26.06.2021 is annexed herewith and marked as Annexure-1 to this writ application.

II. For issuance of a writ of mandamus or any other appropriate writ order or direction commanding the respondents authority to grant three annual increments to the petitioner with consequential benefit which has been deducted on a quite flimsy ground that he has committed misbehave with his superior in the office.

III. For grant of any appropriate relief or reliefs for which the petitioner may be entitled, deemed fit and proper in the facts and circumstances of the case.”

3. Having heard learned counsel for the parties, in view of the petitioner having an alternate and efficacious remedy of filing an appeal under the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005, the application is disposed of directing the petitioner to prefer an appeal/review before the Appellate Authority.

4. In case the appeal is filed within a period four weeks, the authority concerned shall take into consideration the



pendency of the writ application and decide the appeal filed by the petitioner at the earliest in accordance with law preferably within a period of four months from the date of its filing.

5. The application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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