

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4220 of 2026

=====

Sujit Kumar Thakur Son of Kashi Thakur, Resident of - Ward No. 7, Ramdiri,
Nakttitola, P.S. - Matitari , District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Transport, Government of Bihar, Patna.
2. The State Transport Commissioner, Transport Department, Visveswaraya Bhawan, Patna.
3. The Joint Secretary, Department of Transport, Government of Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The District Transport Officer (DTO), Rohtas at Sasaram.
6. Bihar State Electronics Development Corporation Ltd. (BELTRON), through its Managing Director, Beltron Bhawan, Shastri Nagar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pritish Kumar Lal, Advocate
For the State	:	Mr. Mahendra Pd. Verma, AC to SC-20
For the BSEDC (Beltron)	:	Mr. Girijish Kumar, Advocate
		Mr. Akash Anand, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-03-2026 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the BSEDC

(Beltron).

2. The present writ petition has been filed for the

following reliefs:-

(i) For Issuance of appropriate writ/writs, order/orders, direction/directions in the nature of CERTIORARI for quashing Memo No. dated 05/Estt(Charge)-02-02/2025-6602 08.08.2025 issued by the Joint Secretary, Transport Department (Respondent No. 3), whereby the Petitioner's service was arbitrarily returned to BELTRON



(terminated) based on an erroneous audit objection.

(ii) For Issuance of appropriate writ/writs, order/orders, direction/directions in the nature to of MANDAMUS directing the Respondents reinstate the Petitioner to the post of Data Entry Operator at his last place of posting (District Transport Office, Banka) or any other suitable location, with full back wages and continuity of service.

(iii) For Issuance of a Writ in the nature of Mandamus directing the Respondent Authorities, specifically Respondent Nos. 2 and 5, to immediately constitute a competent committee to physically verify the 99 O-GRAS challans submitted by the Petitioner in his presence, and subsequently absolve him of the financial liabilities arbitrarily imposed upon him."

(iv) For Issuance of appropriate writ/writs, order/orders, direction/directions to stay the operation of the Impugned Order Memo No. 6602 dated 08.08.2025 during the pendency of this instant writ and restrain Respondent No. 6 (BELTRON) from taking any coercive action against the Petitioner based on the said order.

(v) Pass any other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.



3. Learned counsel for the petitioner submits that the petitioner joined his service at the District Transport Office, Rohtas, in July 2016. He was previously posted at the District Transport Office, Begusarai. Counsel further submits that the petitioner's work was to make entries of data in the computer at the District Transport Office, Rohtas, for four years, and he worked at Rohtas till 2021. Thereafter, he was relieved to join at the office of the DTO, Khagaria. At the time of relieving, he handed over all charges, including cash books, to the Head Clerk, and no "No Dues" objection was raised.

4. Counsel further submits that the petitioner has been issued a show-cause from the office of the DTO, Rohtas, alleging by the audit team that a discrepancy for the period 01.03.2021 to 30.06.2021 has been found, with the allegation that there is a discrepancy in the total calculation and total deposit, and there is a shortfall. Counsel further submits that, after receiving the show-cause, he immediately filed a reply, including a "Guard File" analysis and a list of 99 O-GRAS (Online Government Receipt Accounting System) challans.

5. Counsel further submits that in the said reply he has demonstrated that against the calculation of Rs. 74,65,968/-, a total sum of Rs. 74,65,970/- was deposited. This resulted in an



excess deposit of Rs. 2/-, and hence no embezzlement has occurred, however, his show-cause reply was not considered at all, and instead thereof, Annexure-P/6, Memo No. 6602 dated 08.08.2025 has been issued without considering his explanation.

6. Learned counsel for the State, on the other hand, submits that filing of a reply is necessary.

7. From the order passed by the Joint Secretary, Department of Transport, Government of Bihar, Patna, addressed to the In-charge of Human Resources, Bihar State Electronics Development Corporation Limited, Beltron Bhawan, Shastrinagar, Patna, it transpires that the petitioner's explanation filed before the DTO, Rohtas, Sasaram has not been considered at all.

8. In view of the above, this Court is of the view that filing a counter-affidavit and keeping the writ petition pending shall not serve the purpose. Consideration of the petitioner's show-cause, filed before the District Transport Office, Rohtas, Sasaram, is the real solution.

9. The impugned order contained in Memo No. 6602, dated 08.08.2025 has passed without considering show-cause. Hence, the same is hereby set aside.

10. It is hereby directed to the Joint Secretary,



Department of Transport, Government of Bihar, Patna (respondent No. 3) to call the District Transport Officer, Rohtas, Sasaram, along with the concerned D.E.O. and Programmer, and then take a decision.

11. It is hereby directed to the petitioner to file a fresh representation before the Joint Secretary, Department of Transport, Government of Bihar, Patna (respondent No. 3), along with a copy of this order, the show-cause notice, and the reply thereto, within 30 days from today. Upon receipt of the same, respondent No. 3, after hearing all concerned, shall pass a reasoned and speaking order within 90 days thereafter.

12. It is made clear that the said 90 days shall be counted from the date of appearance of all concerned.

13. Accordingly, in view of the above observations and directions, the present writ petition stands disposed of.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

