

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4620 of 2026

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Upendra Nath Verma Son of Late Moti Lal Singh, Resident of House No. F/16 Ashiyana Nagar Phase- 2, P.S.- Rajeev Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Co-operative Societies, Co-operative Department, New Secretariat, Patna.
2. Secretary, Co-operative Societies, Co-operative Department, New Secretariat, Patna.
3. Registrar, Co-operative Societies, New Secretariat, Patna.
4. Public Relation Officer, Co-operative Societies, New Secretariat, Patna.
5. District Magistrate, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pratap Sharma, Advocate
For the Respondent/s	:	Mr. Subhash Pd. Singh, GA-3
		Mr. Dilip Kumar, AC to GA-3

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 30-03-2026

Heard learned Counsel for the petitioner and learned
Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for issuance of an appropriate writ/writs, order/orders, direction/directions for quashing the order dated 05.02.2016 contained in Memo No.1256, whereby and whereunder the departmental proceeding has been concluded against the petitioner by keeping it as it is to the order dated 13.08.2019 as contained in Memo No.7718 on



the basis of nonest charges which has been passed by respondent No.3 without considering the reply of the petitioner as well as respondent No.3 is not competent authority to initiate the departmental proceeding against the petitioner which is violative of statutory provisions as contained in Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 (hereinafter referred to as the 'CCA Rules, 2005') and for any other necessary relief/reliefs on the basis of facts and circumstances of the case.

3. Learned Counsel for the petitioner fairly submits that petitioner has earlier moved before this Hon'ble Court in CWJC No. 14849 of 2025, which was disposed off granting liberty to the petitioner to challenge the order of punishment, if any, in case the findings of the departmental proceeding go against him. Learned Counsel for the petitioner submits that the departmental proceeding has decided against him but the order is non-jurisdictional.

4. Learned counsel for the State, on the other hand, submits that the petitioner has challenged this order directly before this Hon'ble Court without preferring the appeal.

5. In the light of the submissions made, this writ petition is disposed of directing the petitioner to avail the



remedy of appeal first then come to this Hon’ble Court within
30 days from today. The delay, if any, in filing the appeal shall
be condoned.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.03.2026
Transmission Date	

