

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9084 of 2025

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Kumar Abhishek Son of Diwakar Prasad, Resident of 8 M/9 MIG Bahadurpur Housing Colony, P.S- Agam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Information Technology Bihar Technology Bhawan Patna.
2. The Special Secretary, Department of Information Technology, Bihar Technology Bhawan Patna.
3. The Under Secretary, Department of Information Technology, Technology Bhawan Bihar, Patna.
4. The Section Officer, Department of Information Technology, Technology Bhawan Patna.
5. The Assistant Section Officer, Department of Information Technology, Govt. of Bihar Patna, Technology Bhawan.
6. The General Manager, Beltron Bailey Road Patna.
7. Nikita Paswan Wife of not known, Resident of Mohalla Pirmohani Gate No.2 P.S. Kadam Kuan, District Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nand Kishore Prasad Sinha, Advocate
For the State	:	Mr. Standing Counsel (12)
For the BELTRON	:	Mr. Girjish Kumar, Advocate
		Mr. Akash Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2026 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 the following reliefs:-

“For issuance of an appropriate writ order or direction for quashing the memo No. 4/2025, 380 dated 24-2-2025 issued by the under Secretary Department of



Information Technology Bihar, Patna as contained in Annexure – 16 whereby and where under the petitioner was dismissed from the post of consultant (PMU) and also declare in illegible for any appointment in future in any Govt. Service in a departmental proceeding without Examining any witnesses and without giving any opportunity of hearing to the petitioner and a major punishment of dismissal from service has been passed against the petitioner in violation of Principles of natural justice and as such the aforesaid order is not sustainable in law and thus vitiated and further a prayer is made to reinstate the petitioner on his post and to make payment of due salary with effect from November 2024 to February 2025.”

3. Learned counsel for the State raises a preliminary objection and submits that the order passed by the Disciplinary Authority has been challenged before this Court without availing the statutory remedy of revision.

4. Accordingly, the present writ petition stands disposed of, granting liberty to the petitioner to challenge the order passed by the Original Authority before the Reviewing Authority in accordance with law within 30 days from today. The Reviewing Authority shall pass order within 90 days



thereafter.

5. It is made clear that the Reviewing Authority shall
condone the delay if filed within 30 days.

(Dr. Anshuman, J.)

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