

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13734 of 2025

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Awadhesh Kumar Poddar Son of Late Deo Narayan Poddar Resident of
Infront of Radio Station, Ali Ganj, Renuka Sadan, Gandhi Nagar, P.O.-
Mirjanhat, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Land Revenue, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Land Revenue, Government of Bihar, Patna.
3. The Collector, Banka.
4. The Sub Divisional Officer, Banka.
5. The Deputy Collector Land Reform, Banka.
6. The Information Technology Manager, Bihar Prasasanik Sudhar Mission Society, Banka.
7. The Circle Officer, Dhoraia, Banka.
8. The District Supply Officer -Cum- The Presiding Officer of the Departmental Enquiry, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Advocate
For the Respondent/s	:	Mr. Standing Counsel (28)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
petitioner has filed the present writ petition for the following
reliefs:

*“I. To issue a writ in the nature of
certiorari and set aside/quash the order
bearing Memo No. XII-09/2018-3443/RA.
Dated 30.10.2024 by which the respondent
No. 3 (The Collector Banka) pleaded to*



impose a major penalty by voluntary retirement from the service of the petitioner as Revenue Karmchari.

II. To issue a writ in the nature of mandamus commanding and directing respondent authorities to start the pension of the petitioner who was voluntary retired on 30.10.2024 but till date the same has not been started.

III. To issue a writ in the nature of mandamus commanding and directing respondent authorities that before fixing the pension also clear the followings: -

i. Annual Increment from the year 2017.

ii. Revised the pay of the petitioner of the seven pay commission because indiscriminately the same has been fixed on Rs 52000/- in place of Rs. 60400/- 1.07.2017.

iii. To grant third ACP to the petitioner.

iv. Salary of 34 days of strike period from 07.01.2009 to 09.02.2009.

v. Full payment of suspension period i.e. 24.09.2022 to 30.10.2024.

IV. To issue any other direction/ directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.”

3. Learned counsel for the State has raised a preliminary objection and submits that the order of punishment passed by the disciplinary authority has been challenged directly before this Court without availing the statutory remedy of



appeal before the competent authority.

4. In response thereto, learned counsel for the petitioner submits that a liberty may be given to him to prefer statutory appeal before the competent authority.

5. In the light of the submissions made, the present petition stands disposed of granting liberty to the petitioner to prefer appeal before the appropriate authority.

6. It is made clear that the appellate authority shall pass order on the appeal of the petitioner, upon prefer within 90 days upon its filing from the date of completion of appearance of the parties. The delay, if any, in filing the appeal shall be condoned by the appellate authority.

(Dr. Anshuman, J)

Rakesh/Ashwini

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