

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1252 of 2024
In
Civil Writ Jurisdiction Case No.1726 of 2023

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Lalan Ram, aged about 64 years, male, S/o Saryu Ram, R/o village -
Rahathua, Raghunathpur, P.O.- Raghunathpur, P.S.- Raghunathpur, District-
Buxar.

... .. Appellant

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj
Department, Bihar, Patna.
2. The District Magistrate, Buxar.
3. The District Development Commissioner, Buxar.
4. The Sub Divisional Officer, Buxar, District - Buxar.
5. The Sub Divisional Officer, Dumraon, District- Buxar.
6. The Land Reforms Deputy Collector, Buxar.
7. The District Panchayati Raj Officer, Buxar, District - Buxar.
8. The Block Development Officer, Rajpur, District- Buxar.
9. The Block Development Officer, District- Buxar.
10. The Block Development Officer, Itarhi District- Buxar.
11. The Accountant General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Appellant : Mr. Abhash, Advocate
For the Respondents : Mr. Government Advocate (05)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

7 08-04-2026 Heard learned counsel for the parties.

2. The present *intra* court appeal has been filed
challenging the order dated 13.11.2024, passed by learned
Single Judge of this Court, in CWJC No.1726 of 2023, whereby
the learned Single Judge had disposed of the writ petition with



the following observations:-

"10. In view of the above facts and the law laid down by this Court and the fact that in absence of any pleading made by the petitioner to the extent that whether petitioner was given any opportunity in accordance with the procedure laid down under Rule 43(b) by the Disciplinary Authority after his retirement, I do not find to entertain the writ petition.

11. The petitioner has retired from service, and therefore, this Court is constrained to remand back the matter to the disciplinary authority to examine the facts whether the petitioner was given any opportunity of hearing and in case same has not been provided, the disciplinary authority must hold the disciplinary proceeding in accordance with law as per the procedure prescribed under Rule 43(b) and 139 of the Bihar Pension Rules."

3. Learned counsel for the appellant submits that during pendency of the present *intra* Court appeal, the authorities have passed a fresh order dated 17.05.2025 vide Memo No.16-1020, which has been brought on record as 'Annexure R/F' to the counter affidavit.

4. In view of the order dated 17.05.2025, the present *intra* court appeal has become infructuous. The appellant shall, however, be at liberty to challenge the said order, if so advised,



and may raise such grounds as deemed appropriate.

5. With the aforesaid liberty, the present appeal stands disposed of.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J.)

(Shailendra Singh, J.)

Gaurav Kumar/-

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