

Patna High Court - Orders

Sudhir Kumar Jha vs The State Of Bihar & Ors on 13 September, 2010

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.14064 of 2005

SUDHIR KUMAR JHA, son of Sri Rabindra Nath Jha, Inspector, Excise, West Champaran, Excise and Prohibition Department, Govt. of Bihar; Permanent resident of village Pandauldih Tola, Post Office - Pandaul, P S - Pandaul, District - Madhubani-847224.

Versus

1.

THE STATE OF BIHAR through the Chief Secretary, Govt.

of Bihar, Patna.

2. The Member Board of Revenue, Bihar, Patna.

3. The Commissioner, Department of Excise and Prohibition, Bihar, Patna.

4. Sri Alok Kumar Sinha, the then Commissioner, Department of Excise and Prohibition, Govt. of Bihar, New Secretariat, Patna.

5. The Collector, District -Jehanabad, Bihar.

6. Sri Santosh Kumar Mall, the then Collector, Jehanabad, District - Jehanabad.

7. The Collector, District - Arwal, Bihar.

8. Shri Keshri Nath Jha, the then Collector, Arwal, District -

Arwal.

9. Sri Santosh Kumar Jamuwar, Deputy Commissioner of Excise, Patna cum Magadh Division, Patna.

10. The Superintendent of Excise, Jehanabad.

11. Sri Ashwani Kumar, the Superintendent of Excise, Jehanabad. -----

04. 13.9.2010 Having heard learned senior counsel for the petitioner and learned counsel for the State, this Court is not inclined to interfere with the order passed against the petitioner imposing certain punishment which stands substantially diluted by the appellate authority. It cannot be said that no charge was being made out against the petitioner for being imposed punishment in question.

Learned counsel for the petitioner submits that the earlier imposition of punishment is coming in the way of petitioner's promotion.

This Court has reservation on such a submission because effect of such punishment can only occupy the field for the period of three years since none of the punishment can be said to be major punishment as would be evident from the order passed by the appellate authority.

The writ application is dismissed with observation as above.

rkp

(Ajay Kumar Tripathi, J.)