

(2003) 04 PAT CK 0129
In the Patna High Court
Case No : C.W.J.C. No. 14044 of 2002

Ramayan Ram

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 03-04-2003

Acts Referred:

Citation : (2004) 2 PLJR 194 : (2003) 3 PLJR 54

Hon'ble Judges : R.S. Garg, J

Bench : Single Bench

Advocate : Madhuresh Prasad, for the Appellant; J.D. Singh, for State, for the Respondent

Judgement

R.S. Garg, J.—The writ application originally was filed to challenge the recommendation made by Lokayukt. The Lokayukt in its report had found the Petitioner guilty of laches and misconduct. During the pendency of this writ application the Respondents authorities have already issued a notice to show cause to the Petitioner and are proposing to proceed with a domestic enquiry. The Petitioner now submits that the recommendation and the show cause notice are illegal.

2. In the opinion of this Court, the recommendations made by the Lokayukt are in fact recommendatory and if on the basis of the said recommendations the department is proposing to proceed with a domestic enquiry after giving a show cause notice on serving charge-sheet then by no stretch of imagination it can be said that the Petitioner would not get a fair opportunity to face charges.

3. The Petitioner, if advised, may take part in the proceedings. The department shall try to conclude the enquiry at its earliest.

4. The petition is disposed.