

In The Court of Commissioner, Saran Division, Chapra
Service Appeal No. 278/2012
Lilawati Devi
Vrs.
The State of Bihar through Collector Saran.

ORDER

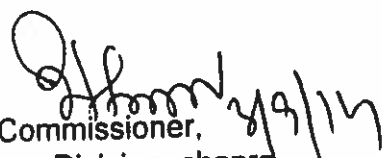
The instant appeal has been filed pursuant to the direction of Hon'ble High Court passed in C.W.J.C. No. 6455 of 2005 (Lilawati Devi Vrs The State of Bihar & others) on 30.01.2012.

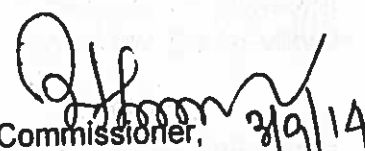
The brief facts of the case is that the present petitioner's husband Late Chhatilal Prasad was working as Nazir in the Block office, Jalalpur of Saran District . The further case is that as the petitioner's husband was dismissed from service for allegation of defalcation of Govt. money of Rs. 3,46,135/- after a duly conducted department proceeding vide order contained in memo No. 1420/estt. Dated 28.12.2004 of D.M. Saran. On being aggrieved by the said dismissal order, the petitioner's husband filed a writ case vide C.W.J.C. No. 6455/2005 before Hon'ble Court. However, during the pendency of the writ case, the petitioner's husband died and thereafter his wife and sons/daughters were substituted in the said writ. The aforesaid writ case was disposed off by the Hon'ble High Court vide order dt. 30.01.2012 directing the present petitioner to file an appeal before the Divisional Commissioner against the impugned order of dismissal passed by Collector, Saran within one month. Pursuant to that direction the present petitioner filed a case by herself on 16.10.2012, before this Court without any required Court fee or assistance of any lawyer. Thus, this case has come up before this Court for adjudication.

It is seen from the order sheet that soon after filing this case, the petitioner remained conspicuously absent on all subsequent dates for pursuing her case. Even on 11.08.2014, when the case was again taken up, the petitioner was absent and the learned G.P. emphasised the view that since the appellant has been abstaining for months the case should be dropped.

This case record was put up for order on 16.08.14. But order could not be passed because the undersigned was engaged with important administrative works. After scanning through the order sheets from the beginning, it is obvious that the appellant never appeared before the Court since filing the Appeal petition. Appellant abstained from Court on so many previous dates. Even required Court fee was not paid. So this Appeal petition is dismissed for default. There is no sense and logic to continue this Appeal further.

Dictated and Corrected by me.


Commissioner,
Saran Division, chapra


Commissioner,
Saran Division, Chapra