

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4834 of 2015

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Mahamaya Prasad, son of Devnath Prasad, resident of Village- Aura Bagicha, P.S.- Darhara, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, the Panchayati Raj Department, Government of Bihar, Patna.
3. The Director the Panchayati Raj Department, Government of Bihar, Patna.
4. The Divisional Commissioner, Munger Division, Munger.
5. The Collector, Munger, District: Munger
6. The Additional Collector-cum-Enquiry Officer, Munger.
7. The District Panchayat Raj Officer, Munger.
8. The Block Development Officer, Sadar, Munger.
9. The Block Development Officer, Sangrampur, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Respondent/s : Mr. Vivekanand Singh, AC to GA8

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 31-03-2015

A K Tripathi, J. Merely because a criminal case is pending against the petitioner, that cannot be a ground for quashing the departmental proceeding, which has reached the issuance of second show cause to the petitioner.

2. The ambit and scope of the two proceedings are entirely different. Therefore, there is no occasion for this Court to either stop or quash the departmental proceeding which has reached a decisive stage.

3. Whatever the question of law which has been raised by the petitioner can be very well decided even after a final order is passed by the disciplinary authority. A piecemeal engagement on such challenge does not help either the system or the institution in such matters.

4. Writ application is dismissed with liberty to the petitioner to

approach the Court if the respondent authorities decide to take action or impose punishment upon him.

5. The disciplinary authority is directed to ensure service of enquiry report upon the petitioner even at this stage.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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