

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6780 of 2014

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Bishnudeo Prasad Singh, Son of Sri Sitaram Prasad Singh, resident of Village - Supasang, P.S.- Wena, District- Nalanda, present Assistant in the office of Sub Divisional Officer, Chapra Sadar.

.... Petitioner/s

Versus

1. The State of Bihar through Collector, Chapra.
2. The District Magistrate-cum-Collector, Saran at Chapra.
3. Sub Divisional Officer, Sadar Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Respondent/s : Mr. Arvind Ujjwal, SC-25

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 23-07-2015

Heard learned counsel for the parties.

2. Having regard to the fact that the petitioner is aggrieved by an order of suspension dated 15.07.2013 and that the respondents in their counter affidavit have explained that such order of suspension was under Rule 9(1)(b) & (c) of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005, there will be no difficulty in holding that such suspension of the petitioner has to continue till conclusion of the criminal case pending against him.

3. Let it be noted that the petitioner is facing a very serious allegation for which he has been put on trial and the trial is pending in Vigilance Court, Muzaffapur being case No. 55 of 2002. Thus, when the petitioner now has to continue under suspension till the conclusion of the criminal case, it would be expedient in the ends of justice that such trial of the petitioner is concluded as early as possible but in any

event not beyond the period of nine month from the date of receipt of a copy of this order.

4. This Court would, accordingly, direct the Special Judge, Vigilance, Muzaffarpur, where the Vigilance Case No. 55 of 2002 against the petitioner is pending, to ensure that the trial against the petitioner is taken on day-to-day basis and is concluded within the aforesaid period of nine months from the date of receipt of a copy of this order.

5. A similar direction is also issued to the Additional Director General of Police, Vigilance to ensure that whatever evidence has to be adduced on behalf of the prosecution, must be produced within a period of six months so that the trial court is in a position to deliver the judgment in a period of aforesaid nine months.

6. With the aforementioned observation and direction, this writ application is disposed of.

7. Let a copy of this order be communicated to special Judge, Vigilance, Muzaffarpur as also to Additional Director General, Vigilance for its compliance in letter and spirit.

Sujit/-

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(Mihir Kumar Jha, J)