

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9728 of 2015

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Gita Kumari W/o Shri Kamleshwari Pd. Chourasia R/o Mohalla-Pithdauri, PO- Sultanganj, P.S. Sultanganj, District Bhagalpur at present Headmaster of Middle School , Dudhaila, Sultanganj, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Director , Primary Education , Government of Bihar, Patna.
2. The Director , Primary Education , Government of Bihar , Patna.
3. The Regional Deputy , Director of Education , Bhagalpur, Division , Bhagalpur.
4. The District Education Officer, Bhagalpur , Dist- Bhagalpur.
5. The District Programme Officer (Estb), Bhagalpur, District - Bhagalpur.
6. The Block Education Officer, Sultanganj, Bhagalpur, District - Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Adv
For the Respondent/s : Mr. GP11- Awanish Nandan Sinha

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 24-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner has been placed under suspension dated 25.06.2015, and memo of charge was also said to be issued, this Court would direct the District Programme Officer (Establishment) to ensure that if the memo of charge has not been issued as yet, the same must be issued to the petitioner within a period of one month from the date of receipt of this order. If the petitioner denies the allegation levelled against him by filing his written

statement of defence, the District Programme Officer (Establishment) shall appoint an inquiry officer and the inquiry officer will ensure that a departmental inquiry is concluded within a period of four months from the date of his receiving the order of inquiry. It goes without saying that the petitioner shall remain present before the inquiry officer in course of proceeding on the date fixed and if the petitioner does not co-operate the inquiry officer, will be at liberty to proceed ex parte. The inquiry officer must submit his inquiry report within a period of four months whereafter the disciplinary authority will have to take final decision as with regard to punishment or exoneration of the petitioner within a period of two months, of course after ensuring service of a copy of inquiry report upon the petitioner.

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

(Mihir Kumar Jha, J)

surendra/-

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