

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.25462 of 2013**

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1. Alphonso Ekka, Anm Additional Primary Health Centre, Gokula Wife Of Shri Ram Chandra Prasad, Gokula, Police Station - Narkatiaganj, District - West Champaran

.... .... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Health and Family Welfare, Government Of Bihar, Patna
2. The Director –in- Chief of Health Services, State of Bihar, Patna
3. The Civil Surgeon, District - West Champaran, Bettiah
4. The Medical Officer Incharge, Primary Health Centre, Narkatiaganj, District - West Champaran, Bettiah
5. The Medical Officer Incharge, Primary Health Centre, Madhubani, District - West Champaran, Bettiah
6. The Medical Officer Incharge, Primary Health Centre, Manjhauliya, District - West Champaran, Bettiah

.... .... Respondent/s

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**Appearance:**

For the Petitioner/s : Mr. DINESH MAHARAJ

For the Respondent/s: Mr. SHYAM KISHOR SHARMA, GA 1

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**ORAL JUDGMENT**

**Date: 14-05-2015**

It is alleged that petitioner is not co-operating in the departmental proceeding nor was she co-operating in receiving any official communication and orders, which led to her suspension. The predicament of the petitioner is her own creation.

2. Petitioner is directed even now to co-operate in the departmental enquiry so that appropriate decision can be taken.

3. If the petitioner co-operates in the enquiry then the enquiry will be concluded within a period of three months. If the enquiry is not concluded for the reasons, not attributable to the petitioner, the petitioner may approach the Court and the Court will consider revoking the suspension, but if the enquiry is held up

because of the non-cooperation of the petitioner, it is another issue.

4. Writ application is disposed of with a direction that authority must ensure conclusion of the departmental proceeding within the time-frame indicated above.

5. Before parting, learned counsel for the petitioner submits that respondents are also dilly-dallying in accepting evidence including certificate, which was not brought earlier because same was misplaced.

6. There is no limitation under which such direction ought to be made. If the petitioner has the relevant document now then it surely would be required to be looked into.

**(Ajay Kumar Tripathi, J)**

R.K.Pathak/-

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