

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No 18967 of 2013

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Arun Kumar Sinha S/O Late Sheo Nandan Prasad Resident Of B/119, Police Colony, P.O.- Anisabad, P.S.- Gardanibagh, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar, Through the Home Secretary, Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Deputy Inspector General of Police, Magadh Range, Gaya
4. The Superintendent of Police, Jehanabad

.... Respondent/s

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 20-03-2015

Having heard the learned counsel for the petitioner and learned counsel for the State, in my view, the writ petition calls for no interference.

2 The writ petition is ostensibly for payment of suspension allowance and/or allowance for the period of suspension. From Annexure 5 being Letter No 1292 dated 05.05.2005 issued from the office of the Superintendent of Police (SP), Jehanabad, it is apparent that the decision with regard to the payment for the period of suspension was to be taken after the departmental proceedings were concluded. There is no averment in the writ petition as to what happened to the departmental proceedings.

3 In view of the aforesaid fact, the State itself having stipulated that decision would be taken upon conclusion of

departmental proceeding, no writ can be issued in this regard. However, if the departmental proceedings have been concluded, it would be open to the petitioner to make a detailed representation to the SP, Jehanabad for payment of whatever may be due during the suspension period, if no such order has been passed in the departmental proceedings.

4 With this observation, this writ petition stands disposed of.

(Navaniti Prasad Singh, J)

M.E.H./-

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