

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.766 of 2015

IN

Civil Writ Jurisdiction Case No. 2592 of 2015

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Ramrup Chaudhary, Son of Late Shiboo Chaudhary, R/o Mohalla- Barki Delha
Dularganj, Post- Railway Station, P.S.- Delha, Gaya, District- Gaya.

.... Appellant

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar.
2. The Director, (Secondary Education) Bihar, Patna.
3. The Regional Deputy Director-cum-Inquiry Officer, Magadh Pramandal , Gaya,
District- Gaya.
4. The District Education Officer, Gaya, District-Gaya.

.... Respondents

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Appearance :

For the Appellant : Mr. Rajesh Kumar Singh

For the Respondents : Mr. Kinkar Kumar (SC 27)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 31-07-2015

The appellant is employed as Head Master at High School, Barachatti, Gaya. He has been placed under suspension on 12.3.2014 in contemplation of disciplinary proceedings. Feeling aggrieved, the appellant approached this Court by filing C.W.J.C. No.2592/2015. Learned single Judge dismissed the writ petition, however, directing that the disciplinary enquiry must conclude within a time frame of eight months and that dues of subsistence allowance shall be cleared. Not feeling satisfied with the said order, the appellant filed this Letters Patent Appeal.

Heard Shri Rajesh Kumar Singh, learned counsel for the appellant and Shri Knikar Kumar, learned counsel for the respondents.

We do not find any serious defect in the order passed by the learned single Judge. Added to that, the report of the enquiry officer is said to have been submitted on 25.3.2015. If that be so, the proceedings can be concluded within a period of two months from today. Further there cannot be any justification to withhold the subsistence allowance.

We, therefore, dispose of the appeal directing that the disciplinary proceedings, pending against the appellant, shall be concluded within two months from today and the arrears of subsistence allowance shall be cleared within four weeks from today.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Anjana Mishra, J)

K.C.jha/-
N.A.F.R.

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