

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7796 of 2015

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Arvind Prasad Sinha, son of Late Atbari Prasad Sinha, resident of village Sakrorha P.S. Nagarnausa District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Education Officer, Patna.
4. The District Programme Officer, Establishment, Patna.
5. The Block Education Officer, Daniyawan, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajan, Adv

For the Respondent/s : Mr. Ram Balak Mahto A.G.

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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 by an order dated 18.09.2014, and that such order has been passed by the competent authority on the ground of initiating departmental proceeding and such departmental proceeding also has been initiated by way of framing of charge vide memo no. 8784 dated 13.11.2014, this Court is not inclined to interfere with the order of suspension. Nonetheless, if the petitioner appears before the inquiry



officer namely, Inspector of School, Gardanibag, and files his written statement of defence against the allegations leveled against him in the memo of charge, the inquiry, should be expedited and also brought to an end at an early date preferably within a period of four months from the date of filing of the written statement of defence by the petitioner.

It goes without saying that after such inquiry report is submitted by the inquiry officer, the disciplinary authority shall take its final decision after serving a copy of such inquiry report within a reasonable period but in no event beyond a period of two months from the date of filing of the reply by the petitioner to the show cause notice containing the inquiry report issued by the authority. All efforts should be made that the order of suspension against the petitioner which was passed on 18.09.2014, does not get stretched to an unreasonable period unless there is deliberate non-cooperation on the part of the petitioner in the

departmental inquiry or before the disciplinary authority.

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

(Mihir Kumar Jha, J)

surendra/-

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