

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10972 of 2015

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Dheeraj Kumar son of Baliram Singh, resident of village Gonda Bigha, P.S.
Hisua, District Nawadah.

.... Petitioner

Versus

The State of Bihar & Ors

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Respondent/s : Mr. Radha Mohan Pathak, AC to SC 29

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 10-12-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks quashing of the order dated 8.1.2014 whereby he
has been suspended by the Director SC/ST, Welfare Department,
Government of Bihar, Patna.

The petitioner submits that no charge memo has been served upon
him as yet and as such continuance of suspension is in breach of Rule 9 of the
Bihar Government CCA Rules, 2005.

I find substance in the submission of the petitioner.

As no charge memo has been served upon the petitioner within 90
days of passing of order of suspension, the impugned order suspending the
petitioner is not sustainable in law and is accordingly set aside. However, the
department would be at liberty to issue a fresh order in accordance with law.

In the result, this writ application is allowed.

(Samarendra Pratap Singh, J)

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