

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

**Civil Writ Jurisdiction Case No.13245 of 2014**

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Satish Kumar Singh S/o late Kailash Singh resident of Village Naya Tola  
Saristabad, Azad Path, A/14, P.S. Gardanibagh, District Patna

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna
3. The Special Secretary, Rural Works Department, Government of Bihar, New  
Secretariat, Patna

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Mishra

For the Respondent/s : Mrs N.Mishra, GA 13

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

**ORAL JUDGMENT**

**Date: 26-02-2015**

Petitioner has been suspended vide order contained in  
Annexure- 5 dated 3.7.2014. The reason for suspension of the  
petitioner is obvious. The Court may not record in detail as to why  
such an action had to be taken against the petitioner.

Suspension has been effected in exercise of power by the  
competent authority under Rule 9 (1) (c) of the Bihar Government  
Servants (CCA) Rules, 2005. Rule 9 (1) (c) is reproduced herein  
below :

***“9. Order of Suspension – (1) The appointing  
authority or any authority to which the appointing  
authority is subordinate or the disciplinary authority  
or any other authority empowered in that behalf by  
the Government by general or special order, may  
place a government servant under suspension when-***



- (a) xx xx xx
- (b) xx xx xx

(c) *a case against the government servant in respect of any criminal offence is under investigation, inquiry or trial and the competent authority is satisfied that it is expedient to suspend the Government Servant in public interest.*”

A reading of the above provision and a reading of the reason for suspension surely make out a case for the action to be taken against the petitioner because it cannot be the case of the petitioner that there is no criminal case instituted against him.

Writ application has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

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