

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17042 of 2014

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Harishchandra Sharma, S/o Late Ramdeo Sharma, resident of village- Tulsipur,
P.S.- Kharik Bazar, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The Director, Primary Education, Department of Education, Govt. of Bihar,
Patna
3. The District Magistrate, Katihar
4. The District Magistrate, Purnea
5. The District Programme Officer, (Establishment), Purnea
6. The District Programme Officer, Establishment, Katihar
7. The Regional Deputy Director of Education, Purnea
8. The Regional Deputy Director of Education, Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Bhan Singh, Advocate

For the Respondent/s : Mr. Rakesh Kumar Singh, AC to G.P.-3

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 20-01-2015

Petitioner cannot wriggle out or over-come the order of suspension, when prima facie serious allegations have been made relating to financial irregularity. No doubt, the veracity of the allegations will be required to be established, but that is required to be done by the competent authority i.e. Enquiry Officer, for which steps have already been initiated against the petitioner. Charge-sheet has been drawn up and served on the petitioner. It is now left for the petitioner to cooperate in the enquiry and come clean at the shortest possible time, provided he renders cooperation.

Writ application stands disposed of with a direction

upon petitioner as well as the Enquiry Officer that the departmental enquiry must be completed within a period of five months from today. If there is any delay not attributable to the petitioner, in the conclusion of the enquiry, petitioner may have liberty to approach the Court, but the time frame so fixed does not mean that the petitioner has a right to start bidding for time to see that the departmental proceeding is not concluded to overcome his suspension since that is not the import as well as essence of the order.

Before parting, it is made clear that if the petitioner joins the Headquarter and reports regularly, the authority will surely consider releasing his subsistence allowance not otherwise.

Writ is disposed of.

(Ajay Kumar Tripathi, J)

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