

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1345 of 2004

Ashok Kumar Singh, son of late Gorakh Nath Singh, resident of village
Mohri Bagicha, P.O.- Sarai, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director of Industries, Bihar, Patna.
3. The Managing Director, Bihar State Small Industries Corporation,
Indira Bhawan, Patna.
4. Mr. Arun Kumar Jha, Manager, I/C Industries Raw Material Depo, 6
Phase Industrial Area Bice More, Gamharia, Jamshedpur (Jharkhand).
5. Rajendra Singh, Store Keeper, I/C Industries Raw Material Depo, 6
Phase Industrial Area Bice More, Gamharia, Jamshedpur (Jharkhand).

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain
Mr. Achuta Nand Sinha
For the Respondent/s : Mr. (GP4)
Mr. Uma Kant Singh

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 20-03-2015

Counsel for the petitioner and Mrs. Punam Kumari Singh, A.C.
to G.P.-4 are present.

Heard.

The application was filed challenging the order of suspension
dated 29.10.2003 passed by the Managing Director of the Bihar State
Small Industries Corporation.

A counter affidavit has been filed on behalf of the Managing
Director of the Corporation in paragraph 2 whereof, it has been stated
that the moment the petitioner joins at Tilaiya Dam in Tata Factory,
his suspension order would be vacated and departmental proceeding

would also be dropped.

In view of the clear stand taken in the counter affidavit, this Court does not propose to proceed with this writ application. If the petitioner has already joined the said post and the order of suspension as well as the departmental proceeding is not dropped/rescinded, he would be at liberty to seek remedy as is available to him in law. Needless to observe that if the dues of the petitioner as per law are not paid, the petitioner shall make appropriate representation in respect thereof which the concerned respondent will consider and dispose of by a reasoned order in accordance with law.

With the aforesaid observation(s), the writ application is dismissed.

(Kishore Kumar Mandal, J)

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