

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14532 of 2013

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1. Arun Kumar Singh S/O Late Ram Bilash Singh Prkhand Shikshak,
Upgraded Middle School, Panapur, Silodhar, P.S. - Jandaha, District -
Vaishali

.... Petitioner

Versus

1. The State Of Bihar
2. District Magistrate, Vaishali
3. Prakhand Vikash Padadhikari (B.D.O.), Jandaha, Vaishali
4. Prakhand Siksha Padadhikari (Block Education Officer) Jandaha,
Vaishali.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar, Advocate

For the Respondent/s : Mr. Kinkar Kumar, SC-27

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL JUDGMENT

Date: 27-01-2015

Heard Mr. Dharmesh Kumar learned counsel for the
petitioner and SC 27 for the State.

A counter affidavit is said to have been filed receipt
thereof is not disputed by the counsel for the petitioner. The same is,
however, not on record. Office will trace and place it on record. A
copy of the counter affidavit has been handed in by the counsel for
the State for perusal of the Court.

The petitioner while functioning as Teacher in



Utkramit Madhya Vidyalaya, Panapur, Silother Block, Jandaha, Vaishali, was placed under suspension on account of lodgment of a criminal case under Sections 143, 149, 323, 153 and 295 of the Indian Penal Code by the Block Development Officer vide order dated 06.02.2013 (Annexure-4). There is no dispute that vide order dated 14.11.2013 as contained in Annexure-A to the State counter affidavit, the suspension of the petitioner was revoked and the petitioner was transferred from the said school.

It has been contended on behalf of the petitioner that the petitioner has not been paid full salary for the period he remained under suspension. The petitioner would be entitled to the same. Counsel for the State pointed out that there is no refusal thereof by the respondents under order dated 14.11.2013 (Annexure-A).

I have considered the submissions of the parties. The grievance of the petitioner in so far as the suspension from service is concerned, stands redressed as is evident from Annexure-A. If the petitioner has not been paid his salary for the period he remained under suspension he should make a representation in this regard before the concerned Authority. There is agreement at Bar that the Block Development Officer (respondent no.3) would be the competent Officer/Authority who will examine the said grievance of the petitioner.

Let appropriate representation for the said grievance be filed by the petitioner before the respondent no.3 within a period of three weeks whereafter Block Development Officer will consider and pass a reasoned order thereon as quickly as possible preferably within four weeks therefrom in accordance with law.

The application is disposed of.

(Kishore Kumar Mandal, J)

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