

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7279 of 2014

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Santosh Kumar Son of Sri Ramanand Prasad Resident of Main Road,
Masaurhi, P.O+ P.S- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, General Administration Department of Bihar, Patna.
3. The Principal Secretary, Department of Energy, Government of Bihar, Patna.
4. The Deputy Secretary, Department of Energy, Government of Bihar, Patna.
5. The South Bihar Power Distribution Company Ltd., Patna through its Managing Director, Vidut Bhawan, Bailey Road, Patna.
6. The Chairman cum Managing Director, South Bihar Power Distribution Company Ltd., Vidut Bhawan, Bailey Road, Patna.
7. The Deputy General Manager (REV), South Bihar Power Distribution Company Ltd., Vidut Bhawan, Bailey Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Keshari

For the Respondent/s : Mr. Aag13- A.K.Choudhary

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 13-02-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner by the impugned order has been placed under suspension in relation to a criminal charge and the charges against the petitioner is very serious as he was caught red handed, this Court is not inclined to interfere with the impugned order of suspension.

The only ground that the petitioner also was taken



into custody and as such was under deemed suspension which got revoked on his being released on bail and therefore, he could not have been suspended on the same ground, has to be only noted for its being rejected. The Rules itself make it very clear that after such suspension is revoked the appointing authority has still the power and liberty to place the same person under suspension who is facing criminal prosecution.

In the present case a person alike the petitioner being an Engineer of the South Bihar Power Distribution Company Ltd., who was found accepting bribe cannot now take a shelter of the earlier order of revocation of his suspension because the competent authority has considered all the aspects while placing the petitioner again under suspension.

That being so, this writ application must fail and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

Ranjan/-

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