

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7176 of 2014

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Prakash Chandra Rai, son of Late Chakardhar Rai, resident of village - Chandheri, P.S. Sabour, District - Bhagalpur, at the relevant time posted as Panchayat Secretary, Khesar, Anchal Fullidumar, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Banka at Banka, District Banka
3. The Dy. Development Commissioner, Banka, District - Banka
4. The Sub - Divisional Officer, Banka, District - Banka
5. The Circle Officer, Fullidumar, District Banka
6. The Block Development Officer, Fullidumar, District Banka
7. The Circle Officer, Rajoun, District Banka
8. The Block Development Officer, Rajoun, District Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chaudhary Prem Kumar Thakur

For the Respondent/s : Mr. Sanjay Kumar Bharti, AC to GP-28

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-01-2015 Heard the parties.

In the present matter, the petitioner has challenged the validity and correctness of the order dated 21.1.2014 (Annexure-3) passed by the respondent District Magistrate, Banka putting the petitioner under suspension under the provisions of Bihar Government Servants (Classification, Control and Appeal) Rules, 2005.

Indisputably, during the pendency of the present writ petition, a departmental proceeding was initiated against the petitioner and in the aforesaid departmental proceeding a final order was passed on 30.04.2014 awarding the punishment of dismissal from the service.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has filed a separate writ petition against

the order of punishment, vide CWJC No.12828 of 2014, which is still pending before this Court.

In above view of the matter, the present writ petition appears to have become infructuous. It is accordingly dismissed.

However, the petitioner shall be at liberty to take all the pleas including the pleas taken in the present proceeding for assailing the validity and correctness of the final order dated 30.4.2014 (Annexure-A to the counter affidavit) dismissing the petitioner from the service.

(Birendra Prasad Verma, J)

Arvind/-

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