

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4240 of 2015

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Akhileshwar Prasad Singh Son of Late Ramchndra Singh , resident of Village & P.O. Basantpur, P.S. Ara Muffasil (North) , District - Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources, Bihar, Patna.
2. The Principal Secretary , Department of Human Resources, Govt. of Bihar, Vikash Bhawan , New Secretariat, Patna-800001
3. The Director, Primary Education, Government Of Bihar, Patna.
4. The Collector -Cum- District Officer , Bhojpur at Ara.
5. The District Education Officer, Bhojpur at Ara.
6. The District Programme Officer (Establishment), Bhojpur at Ara.
7. The District Programme Officer , Sarv Shiksha Abhiyan , Bhojpur, Ara.
8. The District Incharge Mid -Day Meal Plan , Bhojpur at Ara.
9. The Block Education Officer, Ara Muffasil (North) , Bhojpur at Ara.
10. The Block Education Officer , Udwant Nagar Block , at and P.O. Udwant Nagar , District - Bhojpur.
11. Vidyakaya Shiksha Samiti, Middle School, Basantpur Anchal , Ara Sadar, District - Bhojpur through its Chairman.

.... Respondents

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Appearance :

For the Petitioner/s : MR. RAM KRISHNA SINGH, ADV.

For the Respondent/s : Mr. YOGENDRA PD. SINHA, A.A.G.-15

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 31-03-2015

Heard the learned counsel for the parties.

The Hon'ble Supreme Court has already opined, in a recent matter that an employee is not required to be kept under suspension indefinitely or for a long period of time because it helps none and government work gets affected.

Since from reading of Annexure-21, it is evident that even the chargesheet has been annexed with the said order of

suspension, however, the same has not been brought on record by the petitioner, then there is an obligation upon the Enquiry Officer to complete the enquiry within a period of three months.

Counsel for the petitioner submits that the chargesheet has not been served on the petitioner and it has only been mentioned in the suspension order. If it is so, the District Programme Officer (Establishment), Bhojpur at Ara has an obligation to ensure that the chargesheet is served upon the petitioner immediately without any delay and the enquiry will be conducted within three months of the service. The chargesheet must be served on the petitioner within a week of production of a copy of this order.

Writ is disposed of with above direction.

(Ajay Kumar Tripathi, J.)

Vats/-

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