

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15818 of 2008

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Mahendra Singh Yadav, son of Late Bhagwan Rai, resident of village – Bahpura,
Police Station – Bihta, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Bihar, Patna.
3. The Secretary, Department of Minor Water Resources, Govt. of Bihar, Patna.
4. The Joint Secretary, Department of Minor Water Resources, Govt. of Bihar, Patna.
5. The Deputy Secretary, Department of Minor Water Resources, Govt. of Bihar, Patna.
6. The Under Secretary, Department of Minor Water Resources, Govt. of Bihar, Patna.
7. The Project Coordinator, Tube-Well Project, Department of Minor Water Resources, Govt. of Bihar, Patna.
8. The Chief Engineer (South), Tube-well, Department of Minor Water Resources, Govt. of Bihar, Patna.
9. The Superintending Engineer, Tube-well Circle, Gaya.
10. The Superintending Engineer, Tube-well Circle, Patna.
11. The Executive Engineer, Tube-well Division, Patna (West), Bihta.
12. The Assistant Engineer (S.D.O.), Tube-well Sub-Division, Danapur Camp, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. BINDHYACHAL SINGH

For the Respondent/s : Mr. P K Verma, AAG 5

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 07-05-2015

Writ application is allowed to the extent that order of punishment of withholding of salary for the period of suspension is hereby quashed for the reasons and rationale indicated in **Pramod Kumar vs. Champaran Kshetriya Gramin Bank, 2003 (4) PLJR 68** as well as **Mahabir Prasad vs. State of Bihar, 1988 PLJR 82.**

2. Writ application is allowed to the extent indicated above.

3. Respondents are directed to pay the rightful salary to the petitioner

for the period of suspension except subsistence allowance, if it has already been paid to him, within a period of three months from the date of production of a copy of this order.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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