

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4711 of 2016

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Aftab Alam @ Md. Aftab Alam, son of Late Zubair Ahmad, Resident of Berai, P.S. Hathauri, District Muzaffarpur.

.... Petitioner.

Versus

1. The State of Bihar through Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., Vidyut Bhawan, Bailey Road, Patna.
2. The Managing Director, South Bihar Power Holding Distribution Company Ltd., Vidyut Bhawan, Bailey Road, Patna.
3. The Deputy Managing Director, South Bihar Power Holding Distribution Company Ltd., Vidyut Bhawan, Bailey Road, Patna.
4. The Electric Superintending Engineer, Sasaram at Rohtas.
5. The Executive Engineer, Electric Supply Division, Danapur.
6. The Executive Engineer, Electric Supply Division at Dehri-On-Sone, Rohtas.

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Respondent/s : Mr. Vinay Kirti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 12-05-2016

Heard learned counsel for the petitioner and the respondents.

2. The petitioner seeks quashing of the order, dated 05.02.2016, passed by Deputy Managing Director, South Bihar Power Holding Distribution Company Ltd. (respondent no.3) whereby he has been put under suspension on the ground of indiscipline, disobedience and remaining unauthorized leave.

3. Counsel for the petitioner strenuously tried to explain before this Court that the grounds on which he has been put under suspension is non-est, and the same is occasioned on account of

mistake of facts. Learned counsel submits that the petitioner was ill and as such he could not report the department.

4. The matter relating to suspension and disciplinary proceeding would be governed under the provisions of Bihar Government Servants (Classification, Control & Appeal) Rules, 2005, which has been adopted by the Power Holding Company.

5. In the facts and circumstances of the case, the writ application is disposed of with an observation that the respondents would dispose of the departmental proceeding expeditiously, so that no undue harassment is caused to the petitioner. In case, if it is not concluded within eight months, it will be open for the petitioner to approach this Court for the relief sought for in this writ application.

6. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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