

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.216 of 2016

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1. Pankaj Kumar Gupta Son of Late Surajdeo Narayan Gupta resident of Fateh Tola, Turkoli, P.S. Turk Turkolia, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Planning and Development Department, Govt. of Bihar, New Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Adv.

For the Respondent/s : Mr. Anjani Kumar, AAG 4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 03-10-2016

Heard Mr. Bipin Bihari Singh learned counsel for the petitioner and Mr. Anjani Kumar learned AAG 4 for the State who appears along with Mr. S.K. Ranjan A.C. to G.P.17 for the State.

A rather humble request has been made by the petitioner in this writ petition to appropriately direct the respondents-State to conclude the disciplinary proceedings initiated against him as back as in the year 2011. The matter has not been reached its conclusion. In between, a punishment of dismissal had been recommended but the cabinet in its meeting held on 30.9.2014 at Agenda No.23 returned the proposal, a copy of which is present at Annexure-4 to the writ petition. The grievance of the petitioner is that since thereafter, the matter is hanging with no final order being passed.

A counter affidavit has been filed in the proceedings and Mr. Anjani Kumar learned AAG 4 on being entrusted with the responsibility to press the case on behalf of the department has submitted with reference to paragraph 12 that since after rectification of the errors, the proposal has again been forwarded to the Minister Incharge on 28.9.2016 and the matter would be taken to its conclusion very soon. The affidavit however, does not given a time frame.

Be that as it may but taking note of the predicament of the petitioner who is made to face the situation for the past 5 years, the stage of the proceedings and in view of the statement present at Annexures-12 and 13 of the counter affidavit, this Court would direct the disciplinary authority to conclude the proceedings within a maximum period of two months from today.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

Bibhash/-

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