

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.606 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 17214 of 2014

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1. State Of Bihar through the Secretary, Rural Works Department , Government of Bihar, Visheshwariya Bhawan , Bailey Road, Patna
 2. The Secretary, Rural Works Department, Govt. of Bihar, Visheshwariya, Bhawan , Bailey Road , Patna (Bihar).
 3. Special Secretary, Rural Works Department , Govt. of Bihar, Visheshwariya Bhawan , Patna, (Bihar).
 4. The Secretary, Planning and Development Department , Government of Bihar , Patna.

.... Appellant/s

Versus

Ramchandra Sharma Son of Late Bachchu Sharma Present resident of Adarsh Vihar Colony , P.S. - Rupaspur, District Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjeet Kumar, Advocate

For the Respondent/s : Mr. Vinod Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 03-08-2016

The challenge in the present Letters Patent Appeal is to an order passed by the learned Single Bench of this Court on 12.12.2014 whereby, the writ application was allowed and the order of suspension of the petitioner - respondent herein was quashed with a direction to pay all consequential benefits. However, liberty was given to the appellants to pass fresh order of suspension strictly in accordance with law. The other order was passed relying upon another order passed by the learned Single Bench in C.W.J.C. No. 8229 of 2014 decided on 08.10.2014 (**Arvind Kumar Singh vs. The**

State of Bihar).

Learned counsel for the appellants points out that the judgment in **Arvind Kumar Singh** (supra) has since been set aside by a Division Bench in L.P.A. No. 1699 of 2014 decided on 19.03.2015 **(The State of Bihar & Ors. vs. Arvind Kumar Singh).**

For the reasons recorded therein, we allow the present appeal. The order passed by the learned Single Bench is set aside. Since the disciplinary proceeding against the respondent is pending, therefore, the appellants are directed to conclude the disciplinary proceeding expeditiously in accordance with law.

The Letters Patent Appeal stands allowed in the above terms.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P. Kumar/Anjani

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A