

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1129 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 17923 of 2014**

- =====
1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
 3. The Additional Secretary, Rural Works Department, Government of Bihar, Patna.

.... Appellants

Versus

Ramchandra Gupta, Son of Late Nathu Prasad Gupta, Resident of village + P.O. Mansapur, P.S. Laukahi, District - Madhubani, Presently Executive Engineer, Works Division, Nawada

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ranjeet Kumar, Advocate
For the Respondent/s : Mr. Binod Kumar, 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: 25-10-2016

The challenge in the present Letters Patent Appeal is to an order passed by the learned Single Bench of this Court on 29th of January, 2015 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 Patna High Court LPA No.606 of 2015 dt.03-08-2016 2/2
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)

K.C.jha/-

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