

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1530 of 2016

=====

Md. Tanwirul Quamar Son of Late Md. Sulaiman resident of village -
Haiderganj Karah, P.S. Silao, District - Nalanda Presently Posted as Senior
Deputy Collector, Purnea

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of
General Administration, Old Secretariat, Bihar, Patna
2. The Principal Secretary Cum Department Authority, Department of
General Administration, Old Secretariat, Bihar, Patna
3. The Joint Secretary, Department of General Administration, Old
Secretariat, Bihar, Patna
4. The Additional Secretary, Department of General Administration, Old
Secretariat, Bihar, Patna
5. Sri Manoj Kumar Srivastava, Department Enquiry Commissioner,
Department of General Administration, Old Secretariat, Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner : Mr. Gautam Kumar Kejriwal, Advocate

For the Respondents : Mr. K.B. Singh- SC22

=====

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 11-04-2016 Petitioner is a member of the Bihar Administrative

Service. In the year 2007-08 he was serving as CO cum BDO at

Shivaji Nagar, Samastipur. A vigilance case bearing Vigilance

case no. 288 of 2008 was registered which according to the

petitioner was a result of conspiracy of the local Mukhia of

Shankarpur Panchayat. Apart from the vigilance case, in the

year 2011, the petitioner was departmentally proceeded vide

Department case no. 9/11. He was also put under suspension.

The petitioner challenged the order of suspension in this Court

successfully and accordingly suspension order was revoked. So far as departmental proceeding is concerned, the petitioner submits that initially the Enquiry commissioner was very fair and reasonable. However, subsequently, his approach became whimsical and hostile. The petitioner submits that he has also filed a complaint/representation dated 27.1.2015 against the said enquiry commissioner before the department.

Counter affidavit has also been filed stating that the petitioner wants to delay the departmental proceeding, though he has already been directed to submit his representation in the light of enquiry report submitted under Rule 18(3) of the Bihar Government Servant (Classification, Control and Appeal) Rules, 2005.

In view of limited prayer, the writ petition is disposed of with direction to respondent no.2 to dispose of petitioner's representation within a period of one month from the date of receipt or production of a copy of this order. It is made clear that the Court has not gone into the merits of the case.

(Samarendra Pratap Singh, J)

Shashi.

U			
---	--	--	--