

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4512 of 2017

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1. Sudama Chaudhary son of Late Ramsabag Chaudhary Village - Patohawa, P.S. - Kateya, District - Gopalganj.
 2. Satan Dubey son of Ishar Dubey Village + Barahara, P.S. Vijaypur, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Home Department, Govt. of Bihar.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Sub Divisional Officer, Hatua, District - Gopalganj.
5. The Circle Officer, Kateya, District - Gopalganj.
6. The Officer In-Charge, Kateya Police Station, District - Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava
For the Respondent/s : Mr. PARTHA SARTHI- GA4

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-09-2017 Heard learned counsel for the parties.

It is the case of the petitioners that they are under suspension by an order, dated 05.12.2014 and no final order has been passed in the departmental enquiry initiated against them.

It has been stated in paragraph 7 that a minor punishment has been imposed against the petitioners on 28.12.2015 by the disciplinary authority but till now, suspension of the petitioners has not been revoked. The statement made in paragraph 7 of the writ application is incongruous.

Learned counsel for the petitioners admits that the said order purported to have been passed on 28.12.2015 has not been



handed over to them. It is their plea that the petitioners have been informally informed about the passing of the order on 28.12.2015.

Without going into the controversy as raised in paragraph 7 of the application, I dispose of this application with a direction to the District Magistrate, Gopalganj to ensure conclusion of the departmental proceeding within a period of three months from the date of receipt/production of a copy of this order.

It goes without saying that the petitioners shall be entitled to subsistence allowance/salary for the period during which they remained under suspension, in accordance with law and the order to be passed in the disciplinary proceeding in the light of the present order.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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