

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16812 of 2017

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Shiv Narayan Singh son of Late Lakhan Prasad Singh resident of village -
Maharas, P.O. - Sarbela, P.S. - Salkhua, District - Saharsa, presently
posted/suspended as Headmaster, Middle School, Maharas, Block - Banma
Itahari, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Koshi Division, Saharsa.
4. The District Magistrate, Saharsa.
5. The District Education Officer, Saharsa.
6. The District Programme Officer (Establishment), Saharsa.
7. The District Programme Officer, Sarva Shiksha Abhiyan, Saharsa.
8. The Block Education Officer, Banma Itahari, District - Saharsa.
9. The Sub-Divisional Public Grievance Redressal Officer, Simri Bakhtiyarpur,
District - Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra Mr. Prafull Chandra Ishwar, Advocates
For the State	:	Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 30-11-2017

Heard learned counsel for the petitioner and learned counsel
appearing on behalf of the State.

The petitioner is aggrieved by the order of suspension
contained in memo No. 2260-8 dated 14.10.2017, whereby the
petitioner was put under suspension in contemplation of the
departmental proceeding.

Counsel for the petitioner submits that till date the
departmental proceeding has not been initiated by framing charges
under *Prapatra-'Ka'*. The order of suspension was passed on



14.10.2017, as contained in Annexure-18 with the clear stipulation that *Prapatra- 'Ka'* is being issued separately.

If the contention of the petitioner that *Prapatra- 'Ka'* was not issued, the respondents are required to serve copy of *Prapatra - 'Ka'* within a period of three months failing which the order of suspension shall stand revoked.

The order of suspension is in contemplation of the departmental proceeding. The Court deems it fit and proper to direct the respondents to conclude the departmental proceeding at the earliest preferably within a period of six months.

Failure to conclude the departmental proceeding within the aforesaid period of six months will disentitle the respondents from proceeding any further in the departmental proceeding.

With the aforesaid, the writ petition is disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	1.12.2017
Transmission Date	

