

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20428 of 2016

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Ram Ekwil Panjiar, Son of Late Baldeo Panjiar, Resident of village -
Chandauli, P.S. Belsand, District - Sitamarhi

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Building Construction Department, Bihar, Patna
3. The Joint Secretary - Cum - Officer On Special Duty - Cum - Chief
Vigilance Officer, Building Construction Department, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak, Adv.

For the Respondent/s : Mr. Mahtab Alam, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 09-03-2017 Heard Mr. Prabhu Nath Pathak, learned counsel for the

petitioner and Md. Mahtab Alam, AC to SC-20, for the State.

A disciplinary proceeding initiated against the petitioner vide resolution bearing No. 13086 dated 24.12.2014 has not reached its conclusion although a period of more than two years has lapsed. The records are running in between the department and the office of the Departmental Enquiry Commissioner and the reasons for shifting of the responsibility by each of them is not explained in the counter affidavit. The enquiry was entrusted to the Departmental Enquiry Commissioner and who vide order passed on 27.10.2016 present at Annexure 'D' returned the records for enquiry for being conducted at the level of the department. The order does not explain why the matter was returned. The counter



affidavit is also silent on the issue.

Be that as it may, the order having been passed on 27.10.2016 more than four months having passed, yet the records lie with the Departmental Enquiry Commissioner and yet correspondences are on. The petitioner in these circumstances is before this Court.

Having heard learned counsel for the parties and considering the ball game being played in between the department and the Departmental Enquiry Commissioner, I deem it proper to direct the Principal Secretary, Building Construction Department, to take appropriate steps for conclusion of the disciplinary proceeding so initiated against the petitioner expeditiously and preferably within a period of six months from the date of receipt of a copy of this order.

With the aforementioned observation and direction, this writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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