

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18255 of 2016

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Md. Irfan son of Late Jamaluddin Resident of Village- Mangarh, Police Station-
Dharhara, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Urban Development & Housing Bihar, Patna.
2. The District Magistrate, Munger.
3. The Municipality (Nagar Parishad) Jamalpur, Munger.
4. The Chairman, Municipality (Nagar Parishad) Jamalpur, Munger.
5. The Executive Officer, Municipality (Nagar Parishad) Jamalpur, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-10-2017

Heard learned counsel for the petitioner, State and
Jamalpur Nagar Parishad.

2. Pursuant to order dated 10.10.2017, the Principal Secretary, Urban Development and Housing Department, on the request of the Court, is present and has also assisted the Court. An affidavit has been filed on his behalf in which copies of two orders dated 13.07.2017 have been annexed as Annexures A and B. The first is Letter No. 6682 dated 13.07.2017 by which a direction to the Executive Officer of Jamalpur Nagar Panchayat has been issued to take final decision with regard to suspension of the petitioner and the other is Letter No. 6683 dated 13.07.2017 which has been issued to



all the Town Commissioners and Executive Officers of Nagar Parishads/Panchayats, fixing a time frame for any proceeding against an employee indicating that responsibility shall be fixed, if the same is not adhered to.

3. The Court appreciates the interest shown by the Principal Secretary and taking the matter in right earnest and issuing the aforementioned directions, which the Court hopes would not only be implemented but would also ensure that there is no arbitrariness or slackness in proceedings against any employee of the Urban Local Bodies.

4. Learned counsel for the Jamalpur Nagar Parishad informed the Court that the suspension of the petitioner has been revoked by order contained in Memo No. 3470 dated 25.09.2017 and his joining has also been accepted.

5. The Principal Secretary, Urban Development and Housing Department and learned counsel for the Jamalpur Nagar Parishad submitted that the departmental proceeding not being as per the requirement of law, the petitioner shall be entitled to full back wages maintaining continuity in service.

6. In view thereof, the writ petition stands disposed off in terms of the statements made in the affidavit filed by the Principal Secretary, Urban Development and Housing Department and the



submissions made by the Principal Secretary, learned counsel for the State and Jamalpur Nagar Parishad, as recorded above.

7. Personal appearance of the Principal Secretary, Urban Development and Housing Department stands dispensed with.

(Ahsanuddin Amanullah, J)

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