

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 20127 of 2016

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Lalit Kumar, Son of Late Ramdeo Prasad, resident of village - Raniganj, Police Station- Imamganj in the District of Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Magistrate-cum-Collector, Gaya.
5. The Regional Deputy Director, Education, Magadh Division, Gaya.
6. The District Education Officer, Gaya.
7. The District Programme Officer (Establishment), Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kumar Amitesh, Advocate
For the State : Mr. Lalit Kishore, Advocate General
Mr. Kameshwar Prasad Gupta, G.P. 10

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 08-08-2017

Heard learned counsel for the parties.

2. The petitioner has moved before the Court for
the following reliefs:-

“I. To quash the office order contained in Memo No. 2550 dated 31.5.2016 issued under the signature of District Program Officer (Estb.), Gaya by which the petitioner was suspended w.e.f. the date of detention in a criminal case i.e. 7.5.2016 and he was put under Departmental proceeding. During suspension period Head Quarter of the petitioner was fixed in the office of Block Education Officer, Imamganj and one Sri Arun Kumar Mishra, Program Officer (Estb.) was appointed as Conducting Officer and Block Education Officer, Tekari has been appointed as Presiding Officer.



II. Also to direct the respondents to conclude the Departmental Proceeding initiated against the petitioner in pursuant to the Memo of Charge contained in Memo No. 2995 dated 30.6.2016 issued under the signature of District Program Officer (Estb.), Gaya.

III. Also for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”

3. After some arguments, learned counsel for the petitioner drew the attention of the Court to the fact that enquiry report has already been submitted on 19.09.2016, but the Disciplinary Authority has still not passed final order.

4. Learned counsel for the State submitted that the disciplinary proceeding shall be concluded.

5. Having regard to the aforesaid fact, the writ petition stands disposed off with a direction to the respondents no. 6 and 7 to pass final orders in the departmental proceeding against the petitioner, in accordance with law, within one month from the date of production of copy of this order before them.

(Ahsanuddin Amanullah, J.)

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