

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2 of 2015

In

Civil Writ Jurisdiction Case No. 21116 of 2011

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1. Nawal Kishore Sharma Son of Late Ram Anugarh Sharma Resident of Village - Bhairwa, Police Station - Alipur, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Sri Arvind Kumar Choudhary, Administrator, Bihar State Road Transport Corporation, Patna.

2. Sri Vijaya Lakshmi Nadendla, Chief of Administrator, Bihar State Road Transport Corporation, Patna.

3. Sri Ashok Kumar Sinha, Divisional Manager, Bihar State Road Transport Corporation, Gaya.

4. Sri Shankar Prasad, Depot Superintendent, Bihar State Road Transport Corporation, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Respondent/s : Mr. Prabhat Kumar Verma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

5 17-03-2017 Heard the parties.

This application has been filed for non-compliance of the order dated 17.12.2012 passed in C.W.J.C. No. 21116 of 2011.

The petitioner was put under departmental proceeding and later on he was exonerated. This Court in paragraph 4 of the order has given the following direction:

“4. After hearing learned counsel for the parties and considering the materials on record, it is quite apparent that if the Enquiry Officer had specifically found that the allegations leveled against the petitioner were not supported by any material and exonerated the petitioner from all charges, the



department proceeding was dropped by the authority concerned after accepting the enquiry report and if no other proceeding is pending against the petitioner, he is legally entitled to all his salaries, emoluments as well as benefits in accordance with law deducting the amounts, which have already been paid, considering the petitioner's service to be continuous from the date of his suspension till the date of revocation of his suspension order."

In pursuance thereof earlier the authority has filed show cause which was not accepted by this Court.

Today an order dated 9.3.2017 passed by the administrator has been placed before this Court from which it appears that petitioner has been directed to be paid the salary for the suspension period except what has already been paid to him.

In such view of the matter, there is no need to proceed further with the matter. Accordingly this proceeding is dropped.

Order of the administrator is kept on record for future reference.

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(Shivaji Pandey, J)

