

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5148 of 2015

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Ghana Nand Jha son of Late Bheda Nand Jha, resident of village + P.O. Daharia, Via-Surpatganj, Police Station- Chhatapur, District- Supaul.

.... Petitioner

Versus

1. The State of Bihar.
2. The Regional Deputy Director of Education, Koshi Division, Saharsa.
3. The District Magistrate, Supaul, district-Supaul.
4. The District Education Officer, Supaul, District-Supaul.
5. The District Programme Officer, Supaul, District-Supaul.
6. The Block Education Officer, Chhatapur Block, District-Supaul.
7. Bhola Prasad Mandal, son of Late Khushi Lal Mandal, resident of village- Araraha, P.O. Kamal Daha, Police Station-Kishanpur, District-Supaul.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Verma

For the Respondent/s : Mr. AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 15-02-2017 Heard Sri Santosh Kumar Verma, learned counsel

for the petitioner, learned AC to AAG-4 as well as learned

counsel, who has appeared on behalf of Respondent no.7.

The present writ petition was filed for the following
reliefs:

- (i) For issuance of an appropriate writ/writs in the nature of mandamus directing and commanding the respondents for implementing its order vide letter no.2095 dated 12.11.2014 and memo No.242 dated 31.1.2015.
- (ii) For issuance of a writ in the nature of certiorari for quashing the enquiry report by the enquiry officer



vide letter no.755 dated 26.9.2014 and subsequent there an office order vide Memo No.1914 dated 09.10.2014 issued under the signature of respondent no.5 whereby and whereunder suspension of the petitioner had been revoked but the petitioner has been kept under departmental proceeding.

At the very outset, Sri Santosh Kumar Verma, learned counsel for the petitioner submits that during pendency of this writ petition, relief sought for in paragraph-1(i) of the writ petition has already been granted to the petitioner and, as such, he is not pressing the present writ petition against the relief sought for in paragraph-1(i) of the petition. So far the relief sought for in paragraph-1(ii), learned counsel for the petitioner submits that criminal case pertains to a family dispute, which was lodged long back in the year 1988 and, as such, keeping the departmental proceeding in abeyance till disposal of the said case will adversely affect the petitioner. He accepts that vide Annexure-8, which has been assailed, as prayed in paragraph-1(ii) of the petition, the petitioner suspension was revoked, only departmental proceeding was kept in abeyance. The Court is of the opinion that by the said order, the Respondents had adopted right approach.

Accordingly, I do not find any illegality in the order



impugned. The writ petition stands disposed of.

(Rakesh Kumar, J)

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