

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14414 of 2017

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Sudhir Kumar, son of Late Jitendra Sharma, resident of village -
Chitaukhar, P.S. - Tekari, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department,
Government of Bihar, Patna.
2. Director, Prosecution, Bihar, Patna.
3. Sub General Prosecution Officer, District Prosecution Office, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar, Adv.
Mr. Arvind Kumar Sharma, Adv.

For the Respondent/s : Mr. Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 23-11-2017 Heard Mr. Dinu Kumar, learned counsel appearing for
the petitioner and Mr. Md. Irshad, learned Assisting Counsel to
Standing Counsel No.1 for the State.

The petitioner is aggrieved by the order of suspension
bearing Memo No.534 dated 3.5.2016 impugned at Annexure-1
to the writ petition.

Although Mr. Kumar, learned counsel appearing for the
petitioner has questioned the order, inter alia, on grounds that it
is influenced by the direction of the superior authority but
considering the development which has taken place and which
are also on record of the proceedings which confirms that
enquiry has already been completed, the report of which is
placed at Annexure 4 to the writ petition and now final order



needs to be passed in accordance with law by the Disciplinary Authority for the present, I deem it proper to dispose of the writ petition with a direction to the Director (Prosecution), Bihar, Patna who is stated to be the Disciplinary Authority to consider the enquiry report and pass orders in accordance with law expeditiously and preferably within a period of four weeks from the date of receipt/production of a copy of this order.

It is made clear that this Court has not expressed any opinion on the merits of the case and all issues as raised by the petitioner herein would fall for consideration by the Disciplinary Authority while disposing of the matter.

The writ petition is disposed of with the direction aforementioned.

(Jyoti Saran, J)

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