

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15216 of 2016

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Arvind Kumar Ray son of Late Jiladar Ray Resident of Village - Banki Tikam,
Police Station - Madhuwan, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar through Department of Home, Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Additional Collector, East Champaran, Motihari.
4. The Sub Divisional Officer, Pakaridayal, East Champaran, Motihari.
5. The Circle Officer, Madhuwan, East Champaran, Motihari.
6. The Superintendent of Police, East Champaran, Motihari.
7. The Sub Divisional Police Officer, Pakaridayal, East Champaran, Motihari.
8. The Officer in Charge, Madhuwan Police Station, East Champaran, Motihari.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Respondent/s : Mr. Irsad, AC to SC1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 30-06-2017

Heard Mr. Dhurendra Kumar, learned counsel for the
petitioner and Mr. Irsad, AC to SC-1, for the State.

The petitioner is aggrieved by the order of suspension
bearing Memo No. 4616 dated 24.11.2014 passed by the District
Magistrate, East Champaran, inter alia, on grounds that the petitioner
was absconding for the last ten months.

Annexure 3 is the 1st charge memo served on the petitioner
which in turn rests upon the criminal case but has been improved
upon by a 2nd charge memo at Annexure 4 issued on 29.1.2016.

While according to the respondents, the petitioner has been
found to be absent from duty for the last ten months and absconding



as well as having nexus with anti-social elements as stated in paragraph 7 of the counter affidavit and though Mr. Dhurendra Kumar attempts to contest the position but there is no rejoinder to the counter affidavit.

In the circumstances and for the present I deem it proper to direct the District Magistrate, East Champaran, the disciplinary authority, to take appropriate steps for conclusion of the disciplinary proceeding expeditiously and preferably within three months from the date of receipt/ production of a copy of this order.

In case the disciplinary proceeding is not concluded within the period stipulated above for the reasons not attributable to the petitioner, the District Magistrate, East Champaran shall consider his prayer for revocation of his suspension and pass appropriate order within a period of one week thereafter.

The writ petition is disposed of with the aforementioned directions.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.07.2017
Transmission Date	NA

