

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.571 of 2017

Pratap Narayan Singh, Son of Sri Ram Chandra Singh, residence of Village + P.O. - Ramchandra, Block- Madhepur, Distt.- Madhubani and at present posted as Head Master, Rajkiya Buniyadi Middle School, Haripur under Distt. Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of Education Department, Bihar, Patna.
2. The Secretary of Education Department, Bihar, Patna.
3. The Director of Primary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Purnea.
5. The District Education Officer, Araria.
6. The District Programme Officer (Establishment Education Department Araria).
7. The Secretary, Sanskrit Shiksha Board Patna (Nodal Officer) -cum- Deputy District Incharge Officer, Araria.
8. The Head Master of Adarsh Rajkiya Middle School, Bhargama -cum- Drawing Disbursing Officer, Bhargama, under Distt.- Araria.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto, Adv.

For the Respondent/s : Mr. Vikas Kumar, AC to AG.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 01-03-2017

Heard the parties.

The petitioner is aggrieved by the order bearing Memo No.882 dated 16.9.2016 of the Director, Primary Education, whereby the petitioner has been visited with the punishment of withholding of one annual increment without cumulative effect which is a minor penalty under the provisions of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 (hereinafter referred to as 'the Rules'). By the same order the pay and allowances of the petitioner for the period under suspension has been restricted to the subsistence



allowance.

Mr. Vikas Kumar, learned Assisting Counsel to the Advocate General submits that the order is appealable under rule 23 of 'the Rules' and the petitioner has taken recourse thereto by filing an appeal before the Principal Secretary, Department of Education, Respondent no.1.

Having heard learned counsel for the parties and considering that the appeal against the order of punishment is pending consideration before the Principal Secretary, Department of Education, Government of Bihar, respondent no.1, I deem it fit and proper to dispose of the writ petition with a direction to the respondent no.1, the Principal Secretary, Department of Education, Government of Bihar, Patna to consider and dispose of appeal of the petitioner in accordance with law and after opportunity of hearing to the petitioner expeditiously and preferably within a period of six weeks from the date of receipt/production of a copy of this order.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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