

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9407 of 2017

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Rajendra Kumar, age 57 years son of late Kailash Pandit, resident of village Nepura, P.O. and P.S. Ashawan, District Nalanda, presently residing at East of Janta Flat, Bhootnath Road, P.s. Kankarbagh, Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal secretary, Department of Rural Works, Vishveswaraya Bhawan, Patna
2. The Principal Secretary, Department of Rural Works, New Secretariat, Patna
3. The Engineer in Chief, Department of Rural Works Vishveswaraya Bhawan, Biley Road Patna
4. The Special Officer, Department of Rural Works Vishveswaraya Bhawan, Biley Road Patna
5. Bihar Public Service Commission, through its Chairman, Baily Road, Patna
6. The Chairman, , Bihar Public Service Commission, through its Chairman, Baily Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Adv.
For the Respondent/s : Mr. Satyeshwar Prasad, A.C. to S.C.7
Mr. Sanjay Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 11-07-2017

Heard Mr. Sanjeev Kumar Mishra, learned counsel for the petitioner, Mr. Satyeshwar Prasad, learned A.C. to S.C.7 for the State and Mr. Sanjay Pandey learned counsel for the BPSC.

The writ petition has been posted for priority hearing on the motion made by learned counsel for the petitioner who submits that although the enquiry report was submitted on 1.4.2015 vide Annexure-3 exonerating the petitioner, it was followed by a show cause with disagreement note, served on petitioner vide letter No.1294 dated 8.4.2016 by the Officer On Special Duty vide Annexure-4. It is submitted that the petitioner filed his reply to the show cause on



13.6.2016 but thereafter the matter has not progressed although a period of almost 13 months has lapsed.

It is submitted by Mr. Sanjeev Kumar Mishra learned counsel for the petitioner that the disciplinary authority of the petitioner is the Principal Secretary, Rural Works Department, Government of Bihar, Patna. He submits that the writ petition can be disposed of with an appropriate direction to the disciplinary authority for expeditious disposal of the disciplinary proceeding considering that the second show cause reply has already been filed by the petitioner on 13.6.2016 i.e. 13 months back.

Having heard learned counsel for the parties and considering the stage at which the disciplinary proceeding is resting where even the second cause reply has been filed by the petitioner as back as on 13.6.2016, I deem it proper to dispose of the writ petition with the direction to the Principal Secretary, Rural Works Department for taking expeditious steps for disposal of the disciplinary proceeding in accordance with law within a maximum period of six weeks from the date of receipt/production of a copy of this order.

The writ petition is disposed of accordingly.

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.07.2017
Transmission Date	NA

(Jyoti Saran, J)

