

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14103 of 2017

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1. Ram Sukhit Roy son of late Bhola Rai resident of village - Mananpur Sadukha, P.S. - Khanpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Finance Department, Old Secretariat, Govt. of Bihar, Patna.
3. Secretary (Expenditure), Finance Department, Old Secretariat, Govt. of Bihar, Patna.
4. Additional Secretary, Finance Department, Old Secretariat, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Adv.

For the Respondent/s : Mr. Ajay Kumar Rastogi - AAG10

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 30-11-2017 Heard learned counsel for the parties.

Although the petitioner has questioned the notification bearing Memo No. 5883 dated 22.8.2017 whereby in purported exercise of power vested under Rule 9 of the Bihar Government Servant (Classification, Control and Appeal) Rules, 2005 as amended from time to time the petitioner has been put under suspension inter alia on grounds that it is not in tune with the statutory provisions but it is submitted by learned State counsel that the penultimate paragraph of the notification itself contemplates a departmental proceeding and the resolution bearing no. 7079 dated 4.9.2017 completes the process whereby a



charge memo has been submitted on the petitioner.

In the circumstances no case for indulgence is made out. The writ petition is disposed of. The disciplinary authority is well advised to conclude the departmental proceeding preferably within six months from the date of receipt/production of a copy of this order. It goes without saying that the petitioner shall cooperate in the proceeding.

(Jyoti Saran, J)

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