

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5503 of 2017**

=====

Meena Kumari @ Meena Devi wife of Sri Shivnath Jha Resident of Village  
- Phent, P.S. - Basopatti, District - Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education Department, Govt. of Bihar, Patna.
4. The Commissioner, Darbhanga Division, Darbhanga.
5. The District Magistrate, Madhubani.
6. The Additional District Magistrate (Public Grievances Redressal), Madhubani.
7. The District Education Officer, Madhubani.
8. The District Programme Officer (Establishment), Madhubani.
9. The Block Education Officer, Raj Nagar, District - Madhubani.
10. The Block Development Officer, Raj Nagar, District - Madhubani.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sanjay Singh, Advocate  
Mr. Sanjay Kumar Jha, Advocate  
For the Respondent/s : Mr. Apurv Harsh, A.C. to S.C. 28

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**  
**ORAL ORDER**

5      24-11-2017                      Mr. Sanjay Singh appearing on behalf of the  
  
petitioner submits that looking at the totality of facts situation, the  
  
order of suspension is mala fide as the order of suspension has  
  
been passed at the instance of third party having no jurisdiction in  
  
the matter. However, he admits the factual position that the  
  
petitioner has been convicted in a criminal case and the matter is  
  
pending in the High Court at the appellate stage.

Learned counsel for the State on the other hand



submits that after issuance of Annexure-2 the respondents have initiated departmental proceedings and respondents will conclude the departmental proceedings within a reasonable period.

Considering the fact that the respondents have passed order of suspension (Annexure-2) after inordinate delay and they have initiated departmental proceeding only by issuance of Annexue-2.

Considering the aforesaid background of the case and for the ends of justice, the respondent no.8, the District Programme Officer (Establishment), Madhubani is directed to take steps to conclude the departmental proceedings at the earliest, preferably within a period of four months from the date of receipt/production of this order, failing which the suspension shall stand automatically revoked.

With the aforesaid, the application stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

