

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4683 of 2013

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Md. Noor Alam S/O Late Md. Shahid Resident Of Village Sital Bari Somrahi,
Post Office Serhawa, P.S. Gobrahia, District West Champaran.

.... Petitioner/s

Versus

1. The State Of Bihar Through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Cabinet Secretariat (Rajbhasha), Department, Govt. Of Bihar, Patna.
3. The Joint Secretary, Cabinet Secretariat (Rajbhasha) Department, Govt. Of Bihar, Patna.
4. The Additional Secretary Cum Director, Cabinet Secretariat (Rajbhasha) Department, Rajbhasha Directorate, Bihar, Patna.
5. The Director (Urdu), Rajbhasha Directorate, Bihar, Patna.
6. The Principal Secretary, General Administration Department, Govt. Of Bihar, Secretariat, Patna.
7. Bihar Public Service Commission, Bailey Road, Patna Through Its Secretary.
8. Bihar Staff Selection Commission, P.O. Veterinary College, Patna Through Its Secretary.
9. Sri Siddheswar Prasad S/O Jitawahan Ram Resident Of Line Paar, Mirzapur, Nalanda At Present Raj Bhasha Officer, Establishment, Accounts Etc. Cabinet Secretariat (Raj Bhasha Department), Old Secretariat, Patn-15.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.
Mr. Raghubir Chandrasen, Adv.

For the Respondent/s : Mr. Umanath Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-01-2018

Heard learned counsel for the parties.

From the supplementary counter affidavit, it appears that the name of the petitioner for next higher grade was considered by the Departmental Promotion Committee and it has been kept in the sealed cover on account of pendency of the criminal case as well as departmental proceeding.



Learned counsel for the petitioner submits that the Enquiry Officer has already submitted his report on 2.8.2016.

If that be so, the Disciplinary Authority will proceed further with the departmental proceeding and bring it to logical end, and further action would be taken as per the statement made in paragraph no.8 of the supplementary counter affidavit. If the Disciplinary Authority does not inflict any punishment, in that circumstances, if there is any provision for granting ad-hoc promotion during pendency of the criminal case, that aspect will also be considered and will grant the benefit to the present petitioner.

The Disciplinary Authority will conclude the entire process within a period of three months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.01.2018
Transmission Date	NA

