

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1374 of 2017

In

Civil Writ Jurisdiction Case No.2167 of 2017

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Gopal Krishnan, Son of Sri Ram Charan Prasad, Resident of Mohalla-Srinagar Hata, P.S.-K.Hat, District-Purnea.

... .. Appellant

Versus

1. The State of Bihar through the Secretary, Rural Development Department, Bihar, Patna.
2. The Chief Secretary, Bihar, Patna.
3. The Secretary, Rural Development Department, Bihar, Patna.
4. The Deputy Secretary, Rural Development Department, Bihar, Patna.
5. The Collector-Cum-District Magistrate, Supaul.
6. Md. Nadimul Gaffar Siddiquei, the Sub-Divisional Officer, Supaul, Sadar
7. The ASdditional District Magistrate, Aapda (Disaster Management), Supaul.
8. Mr. Yuduansh Kumar Yadav, Member of Legislative Assembly (M.L.A.) of Pipra Constituency as well as Chairman, Internal Resources, Bihar Legislative Assembly Residing at Kishanpur Bazar (Supaul)
9. Mr. Bijay Kumar, Prakhand Pramukh, Resident of the House of Mr. Yaduvash Kumar Yadav, M.L.A. at Kishanur Bazar (Supaul)
10. Mr. Birendra Kumar Block Development Officer, Saraighr Bhaptiyai, (Supaul)

... .. Respondents

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Appearance :

For the Appellant/s : Mr. Shailendra Kumar Verma
For the Respondent/s : Mr. Anjani Kumar -Aag4

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

3 07-05-2018

Heard counsel for the parties.

Since a departmental proceeding has been initiated against the appellant, which is going on, there is no occasion to interfere with the order of suspension because the power is vested in the disciplinary authority to put an officer under suspension during the pendency of the departmental enquiry.

If the appellant cooperates in the departmental



proceeding, the disciplinary authority has an obligation to ensure that the enquiry is completed within a reasonable time frame, preferably within a period of six months.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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