

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No 10350 of 2013

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Ramashish Singh S/O Late Hira Lall Singh R/O Vill : - Tiheri, P.S. : - Masaurhi,
P.O. : - Nadaul, Distt : - Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Patna
3. The S.D.O., Masaurhi, Patna
4. The S.D.O., Danapur, Patna
5. The B.D.O., Dhanarua, Patna
6. The B.D.O., Danapur, Patna
7. The District Treasury Officer, Patna
8. Sri Sanjeev Singh, Executive Magistrate, Danapur cum Conducting Officer,
Patna

.... Respondent/s

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For the Petitioner/s : Mr Ajay Kumar, Advocate

For the S t a t e : Mr Arvind Kumar, AC to GA IX

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 29-08-2018

Heard learned counsel for the petitioner and the
respondent-State.

2 The petitioner was awarded the punishment of
stoppage of two increments with non-cumulative effect and nothing
beyond subsistence allowance shall be paid for the suspension period.
The order is dated 22.06.2009 issued by the District Magistrate under
Memo No 513.

3 Making a prayer that the order in so far as it
disallowed the petitioner any entitlement for the period of suspension
was bad due to non-compliance of the procedure prescribed under
Rule 97 (2) of the Bihar Service Code, the petitioner was allowed
liberty under order dated 05.08.2010 passed in CWJC No 1827 of
2010 to challenge the said order before the District Magistrate raising



a grievance that no show cause had been given prior to awarding the punishment denying the petitioner any dues during period of suspension.

4 The order dated 22.06.2009 was not interfered with and only limited liberty was granted to approach the District Magistrate. Pursuant thereto, the instant writ petition has been filed. Once again, prayer has been made for quashing the order dated 22.06.2009. Nothing has been placed on record to show what is the development pursuant to the liberty granted to the petitioner under order dated 05.08.2010 passed in *CWJC No 1827 of 2010*.

5 Whether the District Magistrate has passed any order after the order dated 05.08.2010 is also not apparent from the material on record as nothing has been placed on record by the petitioner. Prayer is for quashing the order dated 22.06.2009 which has already been considered and finally decided under order dated 05.08.2010 passed in *CWJC No 1827 of 2010*.

6 No case is made out for interference in the instant proceedings. The writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2018
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