

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1854 of 2018

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1. Pramod Kumar Singh, Son of Rajendra Singh, Principal-in-Charge (Block Teacher) Middle School, Dakshini Chak, Athmal Gola, Resident of Village- Dakshini Chak, P.S.- Athmal Gola, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Education Department, Bihar, Patna.
2. The District Magistrate-cum-Collector, Patna.
3. The District Programme Officer, Madhyan-Bhojan-Yojna, Patna.
4. The Block Development Officer, Athmal Gola, District- Patna.
5. The Block Development Officer, Athmal Gola, Patna.
6. The District Education Officer, Patna.
7. Dilip Kumar, Block Teacher, Middle Scholl, Dakshini Chak Athmalgola, District- Patna.
8. Pramod Kumar, Office Clerk, Office of the District Programme Officer (Madhyan Bhojan Yojna), Patna

.... Respondents

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Appearance :

For the Petitioner : M/S Pramod Kumar Singh & Rana Baljit Singh, Advs.

For the Respondents : Mr. Dharendra Kumar Roy, AC to SC 13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-02-2018 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner has been put under suspension in contemplation of departmental proceeding. It is submitted that the order of suspension is without application of mind and contrary to the record.

Learned counsel for the State submits that the order, contained in Annexure 8, dated 9th January, 2018, whereby the petitioner was put under suspension in contemplation of



departmental proceeding and enquiry officer and presenting officer had been appointed vide Annexure 8. It is submitted by the respondents that the present writ application is pre-matured. The suspension is in contemplation of departmental proceeding and, as such, the petitioner may extend full cooperation in the departmental proceeding and if it is found ultimately that the petitioner is not liable for any lapse, the department will not only revoke the order of suspension, but, will pass appropriate order for his reinstatement and consequential benefits.

In view of the aforesaid, the writ petition is **disposed of** with a direction to the respondent to conclude the departmental proceeding against the petitioner within a maximum period of six months from the date of receipt/production of a copy of this order and in the event of departmental proceeding is not concluded within the time intimated here-in-above, the suspension order shall automatically stand revoked.

(Anil Kumar Upadhyay, J)

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