

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.461 of 2018

In

Civil Writ Jurisdiction Case No. 14424 of 2015

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1. Dinesh Kumar Singh, Son of Sri Jagdish Prasad Singh, resident of Mohalla C12 Indrapuri, Police Station- Shastri Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Vivek Singh the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. Mr. Birendra Mishra the Additional Secretary Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. Mr. Pankaj Kumar Pal the Divisional Commissioner, Munger.
5. Mr. Amit Kumar the District Magistrate, Lakhisarai.
6. Mr. Ishwar Chandra Sharma, the Additional Collector-cum-Conducting Officer, Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sachindra Kumar Tiwary

For the Respondent/s : Mr. Md. Khurshid Alam - AAG 12

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

5 29-08-2018 Heard Mr. Rajendra Narain, learned senior counsel for the petitioner and the learned counsel for the State.

This petition is filed for initiation of contempt proceeding for violation of order dated 31.08.2017 passed in CWJC No.14424 of 2015.

Learned counsel for the petitioner submits that the order of dismissal of the petitioner was set aside, however, the liberty was given to the respondents to initiate fresh departmental proceeding but the petitioner was never reinstated.



From perusal of Annexure-A of the show cause, it would appear that the petitioner was put under suspension from the date of his dismissal and the petitioner was entitled to get subsistence allowance during the period of his suspension. A fresh departmental proceeding has also been initiated.

Therefore, I do not find any violation of order dated 31.08.2017. Accordingly, this contempt petition is disposed of.

If the petitioner, so desires, may file petition before the competent authority for payment of his subsistence during the period of his suspension pending departmental enquiry.

(Prabhat Kumar Jha, J)

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