

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2699 of 2018

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1. Chinta Gupta, Wife of Bishwanath Prasad, Resident of Village Charpokhari, P.S. Charpokhari, District- Bhojpur.
 2. Nilam Kumari, Wife of Suresh Choudhary, Resident of Village Sahaspura, Ward No. 13, P.S. Chaprokhari, District Bhojpur.
 3. Rajendra Kumar Ram, Son of Sri Shyam Lal Ram, Resident of Village Kashidih Rataiya Tola, P.S. Charpokhari, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Director, Bihar State Education Project Patna.
4. The District Magistrate, Bhojpur, Ara.
5. District Education Officer, Bhojpur, Ara.
6. District Programme Officer (Estb.), Bhojpur, Ara.
7. Block Education Officer, Charpokhari, District Bhojpur, Ara.
8. Panchayat Secretary, Gram Panchayat Sonvarsha, P.S. Charpokhari, District Bhojpur, Ara.
9. Panchayat Secretary, Gram Panchayat Babubandh, P.S. Charpokhari, District Bhojpur, Ara.
10. Panchayat Secretary, Gram Panchayat Pasaur, P.S. Charpokhari, District, Ara.
11. Block Selection Committee, Charpokhari Block, District Bhojpur, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Respondent/s : Mr. Narendra Kumar, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 23-03-2018

Heard learned counsel for the petitioners and State.

The petitioners in the instant case were put under suspension vide order dated 12.09.2016 (Annexure-1). Even after expiry of more than one year and six months, the respondents have not issued Prapatra “Ka”.

In view of the requirement of Rule 9 of the Bihar Government Servants (Classification, Control and Appeal) Rules,



2005, the order of suspension cannot continue and as such the order of suspension is hereby quashed.

However, the quashing of suspension order of the petitioners will not come in the way of the respondents in taking the proceeding against the petitioners to its logical end.

The writ application is allowed to the extent mentioned above.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.03.2018
Transmission Date	

