

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7153 of 2018

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Ravindra Kumar Chanchal, Son of Late Sudama Sharma, Resident of Village- Nima, Post- Nadwa, Police Station and Block- Dhanarua, District- Patna at present in the office of Sub-Divisional Officer, Barh having the head quarter under suspension.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The District Panchayat Raj Officer, Patna.
4. The Sub-Divisional Officer, Barh, District- Patna.
5. The Block Development Officer, Masaurhi, District- Patna.
6. Arun Kumar, Son of Late Chhapit Yadav, Resident of Village- Dhanauli, Police Station and Block- Masaurhi, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Respondent/s : Mrs. Archana Meenakshee-Gp6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 28-11-2018

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

2. The petitioner has been put under suspension on account of decision taken by the Department to initiate departmental proceeding against him. In the petition, he has submitted that an amount of Rs. 10,49,995/- was given as an advance for execution of work but that could not be carried out and he has already deposited the entire amount in the account of the State Government. As on today, there is no outstanding dues of the State against the petitioner, which has been affirmed by the State in its counter affidavit.



3. In such view of the matter, there is no purpose to keep the petitioner under suspension. Accordingly, the order of suspension is quashed and it is made clear that the petitioner will deposit the interest for the period he has kept the money at the rate of 6% simple interest from the date the calculation of the amount to be served upon the petitioner by the District Magistrate, Patna through the Block Development Officer, Masaurhi, Patna.

4. At the same time, this Court also directs the State to release the salary for the entire period including the interest @ 6% SI for the amount of subsistence allowance.

5. Accordingly, this writ application is allowed.

(Shivaji Pandey, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

