

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1528 of 2018

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1. Murari Yadav, son of Late Mahendra Singh, resident of Village- Kukuri,
P.S.- Garhani, District- Bhojpur at Arrah Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of
Education, Govt. of Bihar, Patna.
2. The District Education Officer, Bhojpur at Arrah.
3. The District Programme Officer (Establishment), Bhojpur at Arrah.
4. The Block Education Officer, Agiaon, Bhojpur at Arrah.

.... Respondents

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Appearance :

For the Petitioner : Mr. Anil Kumar Verma, Adv.

For the Respondents : Mr. Narendra Kumar, AC to GP XX

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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 was put under suspension vide Memo
No. 2695, dated 17.08.2016.

The learned counsel for the petitioner has drawn the
attention of the Court to the order contained in Annexure 5, dated
15.09.2017, whereby a coordinate Bench of this Court has
examined the validity of the order, contained in Memo No. 2695,
dated 17.08.2016, and on consideration of the various aspects the
coordinate Bench quashed the order, contained in Memo No.
2695, dated 17.08.2016.

In view of the above, the Court is left with no option
to follow the principle of parity. The Court is constrained to quash



the order, contained in Memo No. 2695, dated 17.08.2016.

In view of the litigation policy, it is expected that the respondents will not only comply this order for petitioner, but, the order is applicable with regard to all the similarly circumstanced mentioned in Memo No. 2695, dated 17.08.2016, and will be extended to all the similarly situated persons irrespective of the fact that whether those put under suspension along with the petitioner has moved before this Court or not.

With the aforesaid observation, this writ application is **disposed of**.

However, quashing of the order of suspension will not come in the way of the respondents in taking final decision in accordance with law in the departmental proceeding.

(Anil Kumar Upadhyay, J)

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