

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4820 of 2018

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Kaulesh Ray, son of Samhut Ray, Resident of Ward No. 06, Kazichak,
Chanda, P.S. Koilwar, 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. District Magistrate, Bhojpur, Ara.
5. District Education Officer, Bhojpur, Ara.
6. District Programe Officer (Estb.), Bhojpur, Ara.
7. Block Education Officer, Barhara, District Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Respondent/s : Mr. Jitendra Kumar Roy No-1 -Sc13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-03-2018 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner was put under suspension vide order dated contained in memo no.2505 dated 1.8.2016. Even after expiry of one year and six months, respondents have not concluded departmental enquiry and as such the petitioner is continuing under suspension.

Learned counsel for the petitioner submits that similarly circumstanced others were put under suspension and their suspension was revoked pursuant to the order passed by this court in C.W.J.C. No. 17781 of 2016 dated 15.9.2017 and in



C.W.J.C. No. 1528 of 2018 dated 5.2.2018.

Considering the fact that similarly circumstanced others involved in similar case, their suspension was revoked by this court in C.W.J.C. Nos. 7781 of 2016 dated 15.9.2018 and in C.W.J.C. No. 1528 of 2018 dated 5.2.2018, this court see no reason to make departure from the decision taken by this court contained in Annexure-3 series on the ground of parity, the court is inclined to interfere with the order of suspension. The order of suspension contained in Annexure-1 cannot sustain and as such it is hereby quashed. However, quashing of Annexure-1 will not dis-entitle the respondents from taking any decision departmental proceeding and coming to a logical conclusion.

Since order of suspension was passed on 1.8.2018 and the memo of charge was served on the petitioner on 6.9.2016, the respondents are directed to conclude the departmental proceeding at the earliest preferably within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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