

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18084 of 2016

=====

Suman Kumar Singh S/o Sri Ram Krishna Singh R/o Village P.O- Bassopati,
P.S.-Siwan Muffasil, Presently Posted as Block Education Offocer, Barauli,
Gopalganj, Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Primary Education,
Human Resources Development Department, Bihar, Patna
2. The Director, Primary Education, Department, of Education, Bihar, Patna.
3. The District Magistrate, Gopalganj, Bihar
4. The District Education Officer, Gopalganj, Bihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh
For the Respondent/s : Mr.Kameshwar Kumar-Gp17

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-04-2019 The learned Senior Counsel for the petitioner submits

that though the petitioner has prayed for quashing of the order
dated 5.10.2016 passed by the Director, Primary Education
Department of Education, Bihar whereby and whereunder the
petitioner has been directed to submit his statement of defence
with respect to the memo of charge, however, now the petitioner
stands suspended pursuant to an order dated 20.06.2018 passed
by the Director, Primary Education, Department of Education,
Bihar, Patna, hence, a short prayer is being made to direct the
authorities to pay the subsistence allowance and dispose of the
departmental proceeding expeditiously.

2. It is further prayed that appropriate directions be issued to



the respondents to supply the requisite documents being demanded by the petitioner for the purposes of submitting his defence expeditiously and in the event of non-supplying of such documents, it is prayed that the disciplinary authority may pass an appropriate order citing the reasons for refusal to supply the same.

3. Per contra, the learned counsel for the respondents submits that the petitioner may file a fresh representation with regard to the supply of such documents which have not been supplied earlier and the disciplinary authority shall take a decision with regard to the same by either supplying the said documents or passing an appropriate order within a period of four weeks, thereupon. It is directed, accordingly.

4. Now, coming to the other issues i.e. the ones regarding payment of subsistence allowance and completion of the departmental proceedings, this Court directs the disciplinary authority to conclude the ongoing departmental proceeding by passing the final order within a period of four months from today.

5. It is needless to state that in the meantime, the subsistence allowance required to be paid to the petitioner shall be paid without any delay.



6. In order to ensure that the time schedule mentioned hereinabove is adhered to, the petitioner is directed to produce a certified copy of the present order before the disciplinary authority i.e. the Respondent No. 2 along with his representation for supply of documents on or before 22.04.2019.

7. The writ petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

ajay gupta/-

U			
---	--	--	--

