

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 192 of 2019

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Pramod Kumar Das, Son of late Sri Ram Nath Das, Panchayat Secretary,
Pothia, Thakurganj, District- Kishanganj, At present resident of Lohar Patti,
P.S. Kishanganj, District- Kishanganj .

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Panchayati Raj, Government of Bihar, Patna
2. The District Magistrate, Kishanganj.
3. The District Panchayat Raj Officer, Kishanganj.
4. The Sub Divisional Officer, Kishanganj.
5. The Deputy Development Commissioner -cum -Chief Executive Officer, District- Kishanganj.
6. The Block Development Officer, Thakurganj, District- Kishanganj.

... .. Respondent/s

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For the Petitioner/s	:	Mr Amal Kumar Sinha, Advocate
For the Respondent/s	:	Mr Rakesh Kumar Ranjan, AC to GA V

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and the respondent-State.

Case of the petitioner is that he was placed under suspension on 19.12.2013 on account of his arrest in a criminal case. Petitioner has placed on record the order passed by the High Court in Cr Misc No 32439 of 2014 granting him bail under order dated 19.01.2015.

Petitioner was a Panchayat Secretary and is being continued under suspension since 19.12.2013. He draws attention of the Court towards the order of suspension as well as communication dated 23.07.2016 issued by the District



Panchayat Raj Officer to the Block Development Officer, Thakurganj directing for service of charge memo on Prapatra Ka upon the petitioner. He submits that in spite of the said order, till date, neither the charge memo has been served nor the suspension of the petitioner has been revoked. Suspension of the petitioner has thus assumed penal portion.

In this connection, the petitioner has also raised his grievance before the District Magistrate, Kishanganj by his representation dated 11.05.2017 which is Annexure 10/A to the writ petition.

Since the issue has to be considered by the District Magistrate, Kishanganj, pendency of the instant proceedings will be futile.

Let final decision be taken by the District Magistrate, Kishanganj on the petitioner's representation (Annexure 10/A) within a period of eight weeks from the date of receipt/production of a copy of this order failing which suspension of the petitioner shall stand revoked.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

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