

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6073 of 2019

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Sushma Rani Sinha, Female, aged about 60 years, Wife of Kamlesh Satywadi,
Retire Assistant, Patna Municipal Corporation, presently residing at Flat No.
243, Block No. 32, Road No. 10 E, Rajendra Nagar, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development Department.
2. Patna Municipal Corporation through Commissioner.
3. The Commissioner, Patna Municipal Corporation.
4. The Additional Commissioner (Establishment) Patna, Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shri Nandan Singh, Adv.
For the State : Mr. Ravish Chandra, AC to SC-6
For the PMC : Mr. Ranjeet Kumar, Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 19-04-2019

The petitioner is aggrieved by the fact that despite the departmental proceeding having been initiated against him on 14th July, 2016, it has not yet been concluded, even after his superannuation on 31st December, 2018. The petitioner, as a result of the aforesaid pendency



of departmental proceeding, is neither getting his salary for the period from March, 2016 till the date of his superannuation nor is he getting any pensionary benefit.

2. The prayer of the petitioner, therefore, is limited to directing the respondents to conclude the departmental proceeding, which is pending against him, as early as possible, preferably within a period of three months from the date of receipt/production of a copy of this order.

3. This Court, under the aforesaid circumstance, deems it appropriate and issues a direction in that regard to the concerned respondent to conclude the proceeding within a period of four months from the date of production/receipt of a copy of this order. There is no reason why the departmental proceeding which was initiated during the tenure of the service of the petitioner be not concluded and necessary sequel order be passed with respect to the payment of the salary of the petitioner to which he is entitled, viz., the period for which he had worked and the pensionary benefits to him, in the light of Section 43(B) of the Bihar Pension Rules, 1950.



4. The learned counsel for the petitioner has submitted that admittedly there has not been any pecuniary loss to the Government. The aforesaid aspect has to be looked into by the concerned respondent while deciding and concluding the departmental proceeding initiated against the petitioner.

5. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.04.2019
Transmission Date	N/A

