

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9760 of 2019

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Lakhindra Thakur @ Lakhi Chandar Thakur Son of Mokhtar Thakur R/o
Village Ram Nagar Bankat, P.S. Majhauria, District-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Home,
Government of Bihar, Patna
2. The District Magistrate West Champaran at Bettiah
3. The Superintendent of Police West Champaran at Bettiah
4. The Sub Divisional Officer Bettiah Sadar, Bettiah, West Champaran
5. The Circle Officer Majhauria, West Champaran
6. The Officer in Charge Majhauria Police Station, West Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva
For the Respondent/s : Mr.Sheo Shankar Prasad (Sc8)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-09-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner has approached this court with complain
that he has been under suspension since 01.09.2017, though
neither charge memo has been issued nor any further action has
been taken for institution of any departmental proceedings
against the petitioner.

Authority cannot be permitted to continue suspension
indefinitely, and in the manner in which it is done in the case of
the petitioner. Suspension itself cannot be permitted to assume
penal proportion.



In the circumstance, writ petition is disposed of with direction to respondent no.2 that if it is considered necessary then charge memo should be issued to the petitioner within two months from the date of receipt/production of a copy of this order, failing which suspension of the petitioner shall stand revoked and the petitioner would be entitled to consequential benefit on account of revocation of suspension.

Writ petition is disposed of with the aforesaid direction.

(Madhuresh Prasad, J)

s.hassan/-

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