

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8521 of 2017

Sanjay Kumar Sinha, Son of Sri Bishwanath Prasad Sinha, resident of Village- C/o- Shree Shekho Singh, Sarvodaya Nagar, Behind Gayeetri Mandir, Ward No. 40, P.S.- Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Planning and Development, Economic and Statistical Department, Old Secretariat, Patna 800001
3. The Director, Department of Planning and Development and Statistical Department, Old Secretariat, Patna 800001/ M-3 Officers Flat, Punaichak, Patna
4. The District Magistrate, Begusarai, Begusarai Collectariate, Begusarai.
5. The District Statistical Officer of Statistical Department, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh, Advocate
For the Respondent/s : Mr. Rewti Kant Raman, AC to SC-11

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 19-11-2019 Heard learned counsel for the parties.

2. This writ application has been filed on 21.06.2017 putting to challenge an order dated 03.07.2014 whereby he was put under suspension pending a disciplinary proceeding against him.

3. Counter affidavits have been filed on behalf of the respondents, from which it transpires that after filing of the present writ application, the departmental proceeding against the petitioner has concluded with award of punishment of withholding of three increments with



cumulative effect by an order dated 12.01.2018, passed by the Director, Statistical Directorate under the Planning and Development Department, Government of Bihar. The order of suspension, which the petitioner has challenged in the present writ application, has been revoked by the said order. In the order dated 12.01.2018, it was indicated that decision shall be separately taken for adjustment/ regularisation of the period of petitioner's suspension.

4. A decision has been taken with the issuance of letter dated 26.03.2018 addressed to the petitioner wherein the petitioner has been informed that he shall not be entitled to any amount, over and above subsistence allowance, for the period of suspension. The period of suspension shall, however, be counted for the purpose of determination of the petitioner's pension.

5. In my opinion, the petitioner's challenge to the order of suspension has become infructuous in view of the subsequent order passed by the disciplinary authority by imposing punishment as indicated above and deciding as to how the period spent by the petitioner on suspension is to be treated. The petitioner shall, however, be at liberty to question the correctness of decision taken by the disciplinary authority



as indicated above.

6. The application stands disposed of.

(Chakradhari Sharan Singh, J)

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