

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3961 of 2018

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Din Bandhu Pandey S/o Late Bidya Pandey, resident of village- Parsauni,
P.S.- Nautan District- West Champaran at Bettiah.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, East Champaran.
3. Additional collector Revenue East Champaran at Motihari.
4. Sub-Divisional Officer, Sikrahana at Dhaka, East Champaran.
5. Deputy Collector, Land Reform, East Champaran at Motihari.
6. Circle Officer Ghorasahan Circle, East Champaran at Motihari.
7. The Nazir of Nazarat Ghorasahan, East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Respondent/s : Mr.Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-11-2019 In contemplation of initiation of departmental proceeding against the petitioner, he has been placed under suspension by an order dated 19.01.2018 passed by District Magistrate, East Champaran at Motihari. The said order dated 19.01.2018 has been challenged in the present writ application.

A counter affidavit has been filed on behalf of the respondents stating therein that departmental proceeding has been initiated against the petitioner with the framing of charge pertaining to gross misconduct and dereliction of duty. The petitioner is a Revenue Clerk, under the jurisdiction of the



District Administration, Motihari.

Learned counsel appearing on behalf of the petitioner states that the petitioner has already submitted his written statement of defence but said departmental proceeding which has yet not been concluded.

Considering the facts and circumstances of the case, this application is disposed of with a direction that let the departmental proceeding against the petitioner be concluded, if not already concluded, within a period of three months from the date of receipt/production of this order. If the disciplinary proceeding is not concluded within the aforesaid period of three months, the order of suspension shall stand revoked. It goes without saying that it will be obligatory for the petitioner to cooperate in the departmental proceeding and if he fails to make himself available and attempts to delay disposal of departmental proceeding the disciplinary authority shall be at liberty to proceed in accordance with law by passing appropriate orders. The respondents shall also be at liberty to apply before this Court for extension of time granted to them for conclusion of the departmental inquiry.

The respondents are directed to pay to the petitioner the amount of subsistence allowance, if the same has already not



been paid and there has been no laches on the part of the
petitioner in this connection.

(Chakradhari Sharan Singh, J)

Prakash Narayan /-

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