

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12613 of 2019

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Rasendra Narayan Singh Son of Late Ram Sharan Singh Resident of Village-
Gumla, Police Station- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Scheduled Caste/Scheduled Tribe Welfare Department, Government of Bihar, Patna.
2. The Director, Scheduled Caste/Scheduled Tribe Welfare Department, Government of Bihar, Patna.
3. The Deputy Director, Scheduled Caste/Scheduled Tribe Welfare Department, Government of Bihar, Patna.
4. The District Welfare Officer, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Mahasweta Chatterjee, Adv.
For the Respondent/s	:	Mr. S.K.Mandal (SC-3)
	:	Mr. Ravi Ranjan Kr. Singh, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by the order of suspension i.e.
from 25.09.2018.

Learned counsel for the petitioner submits that the
petitioner was put under suspension for the allegation of
negligence and non-compliance of the order of deputation. The
petitioner was relieved for joining Schedule Tribe Residential
High School, Bharra, West Champaran on 30.05.2018. It is
alleged that the petitioner did not join the school at West
Champaran and on making kept attendance at the school



wherefrom he has been transferred.

Learned counsel for the petitioner with reference to the order passed in C.W.J.C. No. 11203 of 2018 submits that deputation was challenged by the petitioner after the order dated 22.2.2019 passed in C.W.J.C. No. 11203 of 2018 the petitioner approached the respondents who ultimately cancelled the deputation of the petitioner.

Mrs. Mahashweta Chatterjee submitted that under the aforesaid circumstanced, the order of suspension cannot sustain and petitioner is entitled to reinstatement with payment of salary for the period of suspension. A representation was filed by the petitioner on 22.03.2019 for the aforesaid purpose contained in Annexure-10 addressed to the Director, Schedule Caste/Schedule Tribe, Welfare Department, Bihar, Patna for revocation of the suspension order and payment of salary.

Considering the fact that now the respondents have cancelled the deputation, the respondents are required to pass an appropriate order with regard to the revocation of suspension of the petitioner and also for payment of salary for the period of suspension to the petitioner.

Accordingly, the writ petition is disposed of with a direction to the Director, Schedule Caste/Schedule Tribe,



Welfare Department, Bihar, Patna to pass an appropriate order on the issue of revocation of suspension. The respondents Director, Schedule Caste/Schedule Tribe, Welfare Department, Bihar, Patna is also required to pass appropriate order with regard to treatment of period of suspension whether petitioner would be paid salary or not by a reasoned and speaking order. Decision on the point of revocation of suspension and payment of salary for the period of suspension may be taken by the Director, Schedule Caste/Schedule Tribe, Welfare Department, Bihar, Patna within a maximum period of 60 days from the date of receipt/production of copy of this order.

With the aforesaid, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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