

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12422 of 2019

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Shashikant Singh S/o Late Baleshwar Prasad Singh Resident of 255, D Loco Colony, Patna Junction, Karbigahia, P.O.- G.P.O., P.s.- Jakkanpur, Distt.- Patna
... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, Patna
2. The Regional Deputy Director of Education Saran Division, Chapra
3. The District Education Officer Gopalganj
4. The District Programme Officer (Establishment) Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate
		Mr. Kanchan Mishra, Advocate
For the Respondent/s	:	Smt. Shilpa Singh (GA-12)
		Ms. Abhanjali, AC to GA 12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-06-2019 The petitioner was put under suspension vide order dated 19.11.2016 in connection with irregularity in constructing the school building. The order of suspension was kept in abeyance vide order dated 23.12.2016. Later on the then Regional Deputy Director of Education issued order on 18.02.2017 exonerating the petitioner from the charges. The order was issued on the ground that allegation does not appear to be fully correct and on that basis he held out that there is no occasion for putting the petitioner under suspension. Vide order dated 29.8.2018, the successor Regional Deputy Director of Education, superseding the order of his predecessor, directed for conclusion of the enquiry within 45 days in terms of the Bihar Government Servant (Classification, Control and Appeal) Rules 2005. On 27.9.2018, the District Programme



Officer(Establishment), Gopalganj has passed order as contained in Annexure-5 putting the petitioner under suspension in view of the subsequent order issued by the Regional Deputy Director of Education. The petitioner is aggrieved by the order, Annexure-5.

Manifold submissions have been made on behalf of the petitioner to challenge the order contained in Annexure-5.

Having regard to the fact that the petitioner is subjected to departmental proceeding vide order dated 27.9.2018 and he has been put under suspension in terms of the order dated 19.11.2016, the Court directs the respondents to conclude the departmental proceeding within a period of sixty days from today failing which not only the suspension order but also the departmental proceeding shall come to an end and the petitioner shall be entitled to reinstatement with all consequential benefits, if the departmental proceeding is not concluded within 60 days from today.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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