

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19374 of 2019

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Ram Pukar Mahto son of Late Mohan Mahto resident of Village- Amarpura Salehpur, P.O.- Amarpura, P.S.- Mahmmadpur, District- Gopalganj, presently posted as Chowkidar 1/4 (under suspension), Halka/ Police Station- Mahmmadpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Chapra (Saran).
4. The District Officer-cum- District Magistrate, Gopalganj.
5. The Superintendent of Police, Gopalganj.
6. The Circle Officer, Anchal Sidhwalia, District- Gopalganj.
7. The Station House Officer (S.H.O.), Mahmmadpur Police Station, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Upendra Yadav
For the Respondent/s : Mr.Manish Kumar (GP-4)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-10-2019 The petitioner has questioned an order dated 08.08.2019 issued by the District Magistrate, Gopalganj, whereby the petitioner has been put under suspension in contemplation of a departmental proceeding.

2. Learned counsel appearing on behalf of the petitioner has submitted that the impugned order is bad because no departmental proceeding was pending against the petitioner at the time of issuance of the impugned order.



3. From the impugned order, I find that the petitioner has been put under suspension on the allegation of his conduct which is misconduct under the Conduct Rules of the employees under the State Government. Disciplinary authority has jurisdiction to place a Government servant under suspension in contemplation of a departmental proceeding. The impugned order, therefore, cannot be said to be beyond jurisdiction.

4. However, it is incumbent upon the disciplinary authority to ensure that if any departmental proceeding is contemplated or has been initiated, the same must be brought to its logical conclusion expeditiously.

5. This application is, accordingly, disposed of with an observation that let disciplinary proceeding if initiated or sought to be initiated be expeditiously concluded within a reasonable period of time.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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