

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19853 of 2019

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Ashok Singh @ Ashok Kumar Singh, Son of Sri Vijay Bahadur Singh, resident of Village- Harkhua, Ward No. 23, P.O. and P.S.- Gopalganj, District- Gopalganj, presently Chowkidar, 5/0, P.S.- Gopalganj Nagar Police Station, District- Gopalganj (Now suspended).

... .. 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, Saran Division, Chapra.
4. The District District Magistrate, Gopalganj.
5. The Superintendent of Police, Gopalganj.
6. The Deputy Superintendent of Police, Sadar, District- Gopalganj.
7. The Sub-Divisional Officer, Sadar Gopalganj, District- Gopalganj.
8. The Circle Officer, Gopalganj. District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Upendra Yadav
For the Respondent/s : Mr.Md. Nadim Seraj (GP-5)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-11-2019 Heard learned counsel for the parties.

2. By an order dated 31.08.2016, the petitioner was placed under suspension. He held the post of a Choukidar. A departmental proceeding has been initiated against him. The petitioner has questioned the legality of the said order of suspension in the present writ application.

3. The allegation against the petitioner is of his involvement in violation of the provisions of the Bihar Excise



Act. For the said conduct of the petitioner, a criminal case has also been instituted apart from the said disciplinary proceeding.

4. Learned counsel for the petitioner has submitted that no material has been collected so far in course of investigation by the police, which can be said to be incriminating and the presenting officer has already submitted his point of view, in this regard, to the inquiry officer.

5. Considering the facts and circumstances of the case, this application is disposed of with a direction that let the disciplinary proceeding against the petitioner be concluded within two months from the date of receipt/production of a copy of this order. If the disciplinary proceeding is not concluded within the aforesaid period of two months, the order of suspension shall stand revoked.

6. This disposes of the application.

(Chakradhari Sharan Singh, J)

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