

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14095 of 2018

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Ram Pravesh Chaudhary, Son of Sri Raudi Chaudhary, Resident of Ward No. 9, Mohalla- Bari Bazar, Mirchai Patti, P.S. Town, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar the Additional Commissioner, Resources, Finance Department, Government of Bihar, Patna.
2. Bihar Public Service Commission through its Chairperson, Bihar, Patna.
3. The District Officer/ Collector, Collecterate Sheohar, District- Sheohar.
4. The District Establishment Deputy Collector (Establishment Section) District- Sheohar.
5. The Senior Treasury Officer, Sheohar, District- Sheohar.
6. The Public Information Officer, Treasury Office, Sheohar, District- Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anish Kumar, Advocate
For the State	:	AC to SC 21
For the BPSC	:	Mr. Nishant Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 24-08-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Anish Kumar, learned counsel for the petitioner; learned AC to SC 21 for the State and Mr. Nishant Kumar Jha, learned counsel for the Bihar Public Service Commission.

3. The petitioner has moved the Court for the following reliefs:



“That by this writ application the petitioner prays for issuance of a writ in this nature of certiorari and to quash/setside the order dated 08.03.18 contained in memo no. 93 passed by the District Officer/Collector Sheohar whereby and whereunder the petitioner was put under suspension with effect from 06.03.2018 in the light of provision contained in Part IV of Rule 9 Sub Rule 3 (ii) of Bihar Public Servant (Classification Control and Appeal) Rule 5 and directed the Treasury Officer, Sheohar to frame charge in Prapatra ‘K’ against the petitioner within a week by fixing the Headquarter of the petitioner at District Establishment Office, Sheohar with further direction to Treasury Officer, Sheohar to pay the subsistence allowances to the petitioner, and the petitioner further prays to issue a writ in the nature of mandamus commanding the respondents that after revocation of the order of suspension, the petitioner be paid his regular salary attached with the post with statutory allowances till the disposal of the departmental proceeding. And any other relief or reliefs for which the petitioner be found entitled in law be granted to him.”

4. Pursuant to the earlier order, supplementary counter affidavit has been filed on behalf of the authorities bringing on record the final order passed in the departmental proceeding against the petitioner contained in Memo No. 369 dated 31.07.2020 by the District Magistrate, Sheohar by which the petitioner has been dismissed from service.

5. In view thereof, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to assail the order passed against him dated 31.07.2020, in the departmental proceeding.



6. Accordingly, the writ petition stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

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