

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13504 of 2019

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Saroj Kumari, wife of Sunil Kumar, resident of village- Purani Chowk, P.S. +
District- Gopalganj

... .. Petitioner/s

Versus

- 1) The State of Bihar
- 2) The District Magistrate, Gopalganj
- 3) The Deputy Collector (Establishment), Gopalganj
- 4) The Additional Collector, District Disaster Management, Gopalganj
- 5) The Incharge Officer, District Disaster Management Office, Gopalganj
- 6) The Treasury Officer, Gopalganj
- 7) The Circle Officer, Sidhwaliya, District- Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 16-06-2020

Heard the parties.

This writ petition was filed for quashing the order dated 9.2.2019 passed by the District Magistrate, Gopalganj by which petitioner was suspended under Rule 9 of Bihar CCA Rules, 2005 in contemplation of departmental proceeding but no memo of charge was served within the stipulated period and as such suspension ought to have been revoked under Rule 9 (1) (7) of Bihar CCA Rules, 2005.

It is submitted on behalf of petitioner that during pendency of writ petition, the order of suspension was revoked



and petitioner was exonerated of the charges framed against her in a departmental proceeding conducted against her, however, it is submitted that petitioner is entitled for full salary during the period of suspension whereas, she was paid only subsistence allowance.

The writ petition is disposed of with a direction to the District Magistrate, Gopalganj to decide the admissibility of payment of full salary to the petitioner for suspension period as contemplated under Rule 11 of Bihar CCA Rules, 2005 within three months from the date of receipt/production of copy of order passed by this Court.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.06.2020
Transmission Date	NA

