

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17761 of 2018

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Hari Kishore Rai, Son of Late Awadh Rai, resident of Village- Talkhapur
Dumra, P.O.- Court Sitamarhi, P.S.- Dumra, District- Sitamarhi, Pin Code-
843301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration
Department, Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Sub-Divisional Officer, Sitamarhi.
4. The Treasury Officer, Sitamarhi.
5. The Circle Officer, Bokhra, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s : Mr. Md. Nasrul Hoda Khan, SC 1

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 07-07-2020

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

2. Heard Mr. Surendra Kishore Thakur, learned
counsel for the petitioner and Mr. Md. Nasrul Hoda Khan,
learned SC 1 for the State.

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

*“(i) For issuance of writ in the nature of certiorari
for quashing of the office order as contained in
Memo No. 497 dated 30.07.2018 issued under the*



signature of the District Magistrate, Sitamarhi whereby and where under the District Magistrate, Sitamarhi has suspended the petitioner from retrospective effect giving reason that as the petitioner was sent to the jail on 01.06.2017 and has been released on 08.06.2017 therefore he put under suspension with retrospective effect with direction to join the Bokhra Circle and he will be entitled for subsistence allowances during the period of suspension without considering that till date no departmental proceeding has been initiated and the petitioner has been released from custody nor the petitioner has suppressed anything.

(ii) For further direction to the Respondents authority to pay the salary of the petitioner since June 2017 to till date which has been illegally withhold by the Respondents authority without any proceeding and reasonable cause.

(iii) For further direction to the Respondents authority to dispose of the representation of the petitioner by reasoned and speaking order within time framed.

(iv) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”

4. Two counter affidavits have been filed on behalf of the authorities. From the same, it is clear that the suspension of the petitioner has been revoked pursuant to which he has also joined and there is order of payment of his salary for the said



period which the authorities have also sanctioned. The same is not controverted by learned counsel for the petitioner.

5. In view thereof, nothing further remains in the writ petition and accordingly, the same stands disposed off.

(Ahsanuddin Amanullah, J)

Anjani/-

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