

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1315 of 2020

Nilam Devi, Female, aged about 36 years, W/o Suresh Chaudhary, resident of
Village- Sahaspura Ward No. 13, P.S. Charpokhari, Dist.- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Govt. of Bihar, Patna.
2. Principal Secretary of Department of Education, Govt. of Bihar, Patna.
3. Director of Primary Education, Govt. of Bihar, Patna.
4. Regional Deputy Director of Education Patna Division, Patna.
5. District Magistrate, Bhojpur Ara.
6. District Education Officer, Bhojpur Ara.
7. District Program Officer (Establishment) Bhojpur Ara.
8. Block Education Officer, Charpokhari, Bhojpur Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-01-2020 Heard both sides.

The petitioner in this writ petition seeks direction for declaration of departmental proceeding initiated against the petitioner as nullity in view of the departmental circular contained in 3/M-27/2014 Sapra-2763 dated 26.02.2014, issued under the signature of the Chief Secretary, Government of Bihar and further for a direction to the respondents to pay the arrears of salary of the petitioner from June, 2016 to June, 2018.

Learned counsel for the petitioner submits that the Principal Secretary, General Administration Department issued



the circular and directed the disciplinary authority to hold the departmental proceeding in time frame detailed in the aforesaid letter but does not contain any direction that if the departmental proceeding is not concluded within the stipulated time, the entire departmental proceeding shall be vitiated. The departmental proceeding has already been initiated. Charges have been served to the petitioner.

Considering the facts, I direct the disciplinary authority that since departmental proceeding is pending from June, 2016, the same must be concluded within four months from the date of receipt of this order.

With the aforesaid direction, the writ petition is disposed of.

(Prabhat Kumar Jha, J)

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