

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3006 of 2019

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Kishun Ram, S/o late Satahu Ram, Resident of Village- Ambariya, P.O. Rupahara, P.S. Sikarganj, District- East Champaran ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Primary and Secondary Education Department, Govt. of Bihar, Patna
 2. The District Education Officer, East Champaran, Motihari
 3. The District Programme Officer (Estt.) East Champaran, Motihari.
 4. The Block Education Officer, Block-Chiraiya, District- East Champaran
- ... Respondents

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Appearance :

For the Petitioner : Mr. Shri Prakash Srivastava, Adv.
For the Respondents : Mr. Kameshwar Kumar, GP XVII

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 04-02-2021 It appears that the serial number of the order, dated 23.06.2020, has mistakenly been mentioned as serial no. 4 in place of serial no. 3, consequently, the serial number of the order, dated 08.06.2020, has been mentioned as serial no. 5 in place of serial no. 4.

Let it be read that the serial number of the order, dated 23.06.2020, is 3 and the serial number of the order, dated 08.06.2020, is 4.

Heard the parties.

By filing this writ application the petitioner has assailed the order, dated 11.12.2018, bearing Memo No. 2954 (Annexure P/5), issued by the District Programme Officer (Establishment), East Champaran at Motihari, whereunder the petitioner was suspended fixing his Headquarter at the office of Block Education Officer, Dhaka, Motihari, during the



suspension period with a direction to pay the suspension allowance to the petitioner in accordance with law.

Learned counsel for the State submits that counter affidavit in this case has already been filed on 22.08.2019 on behalf of respondent no. 2 and in paragraph 12, it is mentioned that after passing the impugned order, the departmental proceeding has been initiated against the petitioner and, accordingly, vide Memo No. 578, dated 25.02.2019 (Annexure 'K' to the said counter affidavit), the District Programme Officer (Establishment), East Champaran at Motihari, has issued Parpatra 'Ka' against the petitioner.

Since, after passing the impugned order, regarding suspension of the petitioner, the proceeding has already been initiated, as such, I find no reason to entertain this writ application.

This writ application is accordingly **dismissed**. However, the petitioner is at liberty to raise all points at the time of hearing in the departmental proceeding.

(Rajendra Kumar Mishra, J)

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