

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8691 of 2020

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Ram Chandra Prasad Son of Late Mohan Bhagat Resident of Madhuban Housing Complex, Lohiya Nagar, Kankarbagh, P.S.- Patrakar Nagar, P.O.- Lohiya Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, P.H.E.D., Government of Bihar, Patna.
2. The Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Special Secretary, Urban Development and Housing Department, Government of Bihar.
4. The Joint Secretary, Public Health Engineering Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Advocate
For the Respondent/s : Mr. Lalit Kishore (A.G)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-02-2021 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the respondents.

The petitioner is aggrieved by the notification dated 14.02.2020 issued by the Joint Secretary, PHED, Government of Bihar, Patna whereby the petitioner has been suspended in purported exercise of Rule 9(1)(A) of the Bihar Government Servant(Classification, Control and Appeal) Rules, 2005.

Learned counsel for the petitioner submits that



respondents are not justified in keeping the petitioner under suspension without initiating departmental proceeding in accordance with law.

Learned counsel for the respondents would submits that departmental proceeding has commenced and the order of suspension is in contemplation of the departmental proceeding.

Under the aforesaid circumstance, the respondents are directed to conclude the departmental proceeding at the earliest, preferably within a period of six months from the date of receipt/production of a copy of this order. If the departmental proceeding is not concluded within a period of six months, the order of suspension shall automatically stands vacated.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Anil Kumar Upadhyay, J)

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