

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2563 of 2021

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Ranjan Sinha, Wife of Awadh Bhari Chaudhary, Resident of Village and P.O.-Kanhaiyachak (Chaudhary Tola), P.S.-Parbatta, District-Khagaria, presently suspended Assistant Teacher in Sarvajanik Ramawati High School, Temtha (Parbatta), District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education (R.D.D.E.), Munger Division, Munger.
4. The District Education Officer, Khagaria.
5. The District Programme Officer (Secondary Education), Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.Naresh Narain (AC to Ex-Aag 15)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 05-04-2021 1. The present writ petition has been filed for quashing the order of suspension dated 31.08.2020, issued by the Director (Secondary Education) Bihar, Patna, whereby and whereunder the petitioner has not only been suspended but an Inquiry Officer has also been appointed for the purposes of conducting the inquiry against her.
2. The learned counsel for the petitioner has submitted that despite lapse of more than 03 months, no charges have been framed and in fact, ‘Prapatra-K’ has not yet been issued which is *de hors* the provisions as contained in **Bihar**



Government Servants (Classification, Control & Appeal) Rules, 2005. Nonetheless, it is submitted that the respondents be directed to conclude the departmental proceeding within a limited time frame and in the event of default, the order of suspension be directed to be revoked.

3. The learned counsel appearing for the State has got no objection in case a time frame is fixed for conclusion of the departmental proceeding.

4. Accordingly, the present writ petition stands disposed of with the consent of the parties and with a direction to the disciplinary authority to ensure completion of the on-going departmental proceeding within a period of six months from today, failing which the order of suspension *qua* the petitioner herein, issued vide memo dated 31.08.2020, shall stand revoked automatically.

It is needless to state that the respondent-authorities shall ensure payment of subsistence allowance to the petitioner herein.

(Mohit Kumar Shah, J)

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