

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2386 of 2017

In
Civil Writ Jurisdiction Case No.19685 of 2015

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Raja Ram Singh, S/o Sri Balram Singh, Resident of Village – Maheshwara,
P.O. - Bhatouna, P.S. - Hathouri, District – Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar the Principal Secretary, Department of Co-operative, Government of Bihar, Vikash Bhawan, Bailey Road, Patna, namely Mr. Amrit Lal Meena, I.A.S.
2. The Registrar, Co-operative Societies, Department of Co-operative, Government of Bihar, Vikash Bhawan, Bailey Road, Patna, namely Mr. Narendra Prasad Mandal, I.A.S.
3. The Additional Registrar, Co-operative Societies, Department of Co-operative, Government of Bihar, Vikash Bhawan, Bailey Road, Patna, namely Mr. P.K. Sinha.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Purushottam Kumar Jha, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Prasad Yadav - AAG 11

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

9 30-11-2022 This petition has been filed alleging non-compliance of the judgment dated 25.11.2016, passed in C.W.J.C. No. 19685 of 2015, titled as Raja Ram Singh Vs. The State of Bihar & Ors., by a learned Single Bench of this Court.

It is a matter of concern, on both counts, that disciplinary proceeding initiated against the petitioner way back in 2014 could not be taken to its logical conclusion either way. Perhaps, it is on account of procrastination of the lis at various stages and forms, be it on the part of the State or that of the petitioner.



It is a matter of record that on 25th of September, 2014, petitioner was placed under suspension. The said order of suspension was quashed and set aside by this Court vide order dated 25.11.2016 in C.W.J.C. No. 19685 of 2015. The Said order came to be affirmed by a Division Bench of this Court in L.P.A. No. 578 of 2018, titled as The State of & Ors. Vs. Raja Ram Singh, with the direction for expeditious conclusion of the disciplinary proceedings.

Noticeably, the Division Bench noticed the circumstances under which the order of suspension came to be quashed. It was on technical ground.

Be that as it may, it is a matter of fact that post disposal of the L.P.A. (supra) disciplinary proceeding stands completed and petitioner held guilty of the charge(s), against which an appeal stands preferred by the petitioner before the appellate authority. The said appeal is pending since 26.08.2019. It is alleged by the petitioner that post quashing of the order of suspension, petitioner was not paid salary/remuneration for the period July, 2019 till May, 2020.

It is under these circumstances, petition is disposed of in the following terms:

(a) The appellate authority shall immediately and



not later than two months from today, decide the appeal;

(b) petitioner shall make himself available before the appellate authority on 07.12.2022 at 10:30 a.m. in his office and shall fully cooperate.

(c) The respondent Principal Secretary, Department of Cooperative, Government of Bihar, shall ensure that all remuneration due and payable to the petitioner are disbursed within the very same period.

Should this Court find the order not to have been complied with, the Court would not hesitate in imposing cost upon the said officer, to be recovered from his personal salary.

Liberty reserved to the petitioner to revive the petition in the event of non-disbursement of the remuneration.

Learned counsel for the respondents undertakes to communicate the order to the Principal Secretary within next two days.

(Sanjay Karol, CJ)

K.C.Jha/DKS

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