

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10287 of 2020

=====

Raj Kumar Jha S/o Sri Mahesh Jha Back of Nazirpur, Muzaffarpur, At
present- Suspended Panchayat Secretary, Gram Panchayat Raj, Belaur, Dih,
Circle- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture, Govt. of Bihar, Patna
2. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna
3. The Director Agriculture Department, Bihar, Patna
4. The Director, Panchayati Raj Department, Bihar, Patna
5. The Divisional Commissioner, Tirhut Division, Muzaffarpur
6. The District Magistrate, Muzaffarpur
7. The District Education Officer, Muzaffarpur
8. The District Programme Officer, (Est.) Muzaffarpur
9. The Block Development Officer, Kudhani, Muzaffarpur
10. The Block Education Officer, Kudhani, Muzaffarpur

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 10-01-2022

The matter is heard via video conferencing due to
circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has prayed for the
following relief/reliefs:

“That this is an application for issuance of an
appropriate writ or writs, order or direction to the respondent
authorities to quash the order as contained in memo no. 95
dated 18.01.2020 passed by the District Magistrate,
Muzaffarpur whereby and whereunder without appreciating
the factual, legal and provision under statute he has placed the



petitioner under suspension with immediate effect and fixed the head quarter at Paru Block with the direction for the payment of nothing more than subsistence allowance and for necessary relief/reliefs on the basis of facts and circumstances of the case stated and discussed hereinafter.”

3. In in the instant petition, petitioner has questioned the validity of suspension order passed by the District Magistrate, Muzaffarpur. During the pendency of the present petition disciplinary proceedings was concluded in imposition of penalty and petitioner was taken back to duty. In other words, order of suspension was revoked. In the light of these facts and circumstances, the present petition do not survive for consideration.

4. Petitioner is at liberty to question the final order passed in the disciplinary proceedings and so also he is permitted to make necessary representation to regulate the suspension period in accordance with law. If such representation is submitted, the competent authority is hereby directed to pass a speaking order in regulating the suspension period within a period of three months from the date of filing of such representation.

5. Accordingly, the present petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	14.01.2022
Transmission Date	

