

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1117 of 2021

Umesh Kant Choudhary Son of Late Ganpat Choudhary Resident of Village-
Targana Dih, P.s.- Masaurhi, District- Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Patna
2. The Principal Secretary, Building Construction Department, Government of Bihar, Patna
3. The Chief Engineer, Building Construction Department, Government of Bihar, Patna
4. The Engineer-in-Chief Building Construction Department, Government of Bihar, Patna
5. That the Superintendent Engineer, Advance planning Building construction Department, Government of Bihar, Patna
6. The Executive Engineer, Advance planning Division, Building Construction Department, Government of Bihar, Patna
7. The Assistant Engineer, Advance planning Building Construction Department, Government of Bihar, Patna. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate
For the Respondent/s : Mr. Syed Iqbal Ahmad, SC 20

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

Date : 17-01-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

Learned counsel for the petitioner is hereby directed to furnish a copy of the petition to Mr. Syed Iqbal Ahmad, learned SC 20 within a week from today.

In the instant petition, petitioner has prayed for the following reliefs:-

“For issuance of writ/writs of mandamus or appropriate in nature for quash the office order no. 13 dated 14.06.2018 issued by the Superintendent



Engineer planning Circle Building Construction Department, Government of Bihar, Patna, communicated to the petitioner by the Memo No. 175 dated 14.06.2018 whereby and whereunder the petitioner has been suspended from service thereafter charge has been framed for initiate departmental proceeding against the petitioner after more than eleven month violating the rule 9 Sub Clause-7 of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 as well as praying for revocation from suspension from service of the petitioner.”

The petitioner has been placed under suspension on 14.06.2018. Therefore, the concerned respondent is hereby directed to examine as to whether the petitioner is entitled for revocation of his suspension or not with reference to relevant provision of law or in terms of Hon’ble Apex Court decision in the case of **Ajay Kumar Chaudhary vs. Union of India** reported in **(2015) 7 SCC 291**. In this regard, detailed speaking order shall be passed and communicated to the petitioner. The above exercise shall be completed within a period of one month from the date of receipt of this order.

With the aforesaid observations, the writ petition stands disposed off.

Vikash/-

(P. B. Bajanthri, J)

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

