

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10896 of 2020

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Santosh Kumar Choudhary, Son of Late Lakhan Choudhary, Resident of Village- Bhajaniya, Post Officer and Police Station- Mohamadganj, District- Palamu, and at present Assistant Director, District Child Protection, Aurangabad, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary/Additional Chief Secretary, Social Welfare Department, Old Secretariat, Patna
2. The Director, Directorate of Social Welfare Department, Old Secretariat, Patna
3. The Director, Social Welfare Department cum Deputy Chair Person, State Child Protection Society, "Apna Ghar", Back of Lalit Bhawan, Baily Road, Patna
4. The Director, Social Welfare Department, Irrigation Building, Old Secretariat, Patna
5. The District Magistrate, Kaimur at Bhabhua
6. The District Programme Officer (ICDS) Kaimur at Bhabhua
7. The Joint Director (Head Office), Social Welfare Department, Patna
8. The Special Secretary, Social Welfare Department, Old Secretariat, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, G.A.-7

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioner and learned State Counsel.

The writ petition has been filed challenging the resolution dated 12.05.2020 bearing Memo No.2183, whereby the Department has decided to proceed against the petitioner.

The same has been challenged by submitting that prior to issuance of the charge memo, several internal enquiries



have been conducted in respect of the charges. The further submission is that the counsel is not aware as to what has happened after the charge memo was issued.

This Court would consider the aforesaid submissions advanced by the petitioner's counsel by observing that it is not the petitioner's case that prior to the impugned resolution, any charge memo was issued in respect of the charges. The internal enquiry relied upon by the petitioner would not invalidate the charge memo dated 12.05.2020. Secondly, if there has been any progress in the proceedings and the petitioner is aggrieved, it will always be open to the petitioner to assail the order at the appropriate stage.

This Court does not find any reason to interfere with the very initiation of proceedings under charge memo dated 12.05.2020.

Writ petition is accordingly dismissed.

(Madhuresh Prasad, J)

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