

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.873 of 2021

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Amrendra Kumar, Son of Late Ganesh Ram, Resident of Village and Post-Baraila, P.S.-Shivsagar, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary-cum-Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Division, Patna.
5. The District Education Officer, Kaimur at Bhabhua.
6. The District Programme Officer (Establishment), Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate
For the Respondent/s : Ms. Shilpa Singh, GA 12

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 12-04-2022

Heard learned counsel for the parties.

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

“That this is an application on behalf of petitioner for issuance of a writ of Certiorari for quashing of the order bearing memo no. 1399 dated 15.10.2020 (Annexure-5) issued by respondent No. 4, the disciplinary authority, whereby and where under petitioner has been placed under suspension and has been put to departmental proceeding for which the headquarter has been fixed at the office of District Education Officer, Nalanda and the District Education Officer, Kaimur has been directed to relieve the petitioner within 24 hours, whereas petitioner has already been deputed in election duty on 13.10.2020 by the order of District Election Officer-cum-District Magistrate, Kaimur in Bihar Assembly Election – 2020



and as per aforesaid order of District Election Officer-cum-District Magistrate, Kaimur, petitioner has to remain at the place of his posting at District Education Office, Kaimur, but by way of impugned order petitioner is being forced to join at the headquarter at Nalanda AND petitioner further prays for issuance of any other writ/writs, order/orders, direction/directions which the Hon'ble Court may deems fit and proper.”

3. During pendency of the present petition, the suspending authority has revoked the order of suspension on 12.02.2021 while passing certain orders which is stated to be adverse against the petitioner.

4. The petitioner is permitted to challenge before the appropriate forum for the reasons that suspension issue cannot be merged with the order stated to have been passed in a departmental enquiry.

5. Accordingly, the present petition stands disposed off.

6. Pending I.A., if any, stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	19.04.2022.
Transmission Date	

