

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3329 of 2022

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Ranjit Paswan Son of Late Bangali Paswan Resident of Village-Dekpura,
P.S.-Rahui, District-Nalanda.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Bihar, Patna.
2. The Principal Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
3. The Collector, Nalanda.
4. The Deputy Collector of Land Reform, Hilsa, Nalanda.
5. The Circle Officer, Ishlampur, District-Nalanda.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Verma, Advocate
For the Respondent/s : Mr.Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-04-2023 Defect nos. 46 and 67 are ignored.

2. Learned counsel for the petitioner undertakes to do the attestation on page nos. 16, 17, 30-33 in course of the day.

3. Heard learned counsel for the petitioner and the State.

4. It is the case of the petitioner that he was put under suspension on 26.07.2016 when he had been in judicial custody. After his release, he joined but soon after he submitted his joining, he was again put under suspension on 30.01.2017. A disciplinary proceeding is pending against him.

5. Learned counsel for the petitioner submits that in the departmental inquiry, the Inquiry Officer has not found the



petitioner guilty of any of the charges. In this connection, Annexure '7' to the writ application which is a copy of the inquiry report has been placed before this Court. Learned counsel submits that the inquiry report was submitted as back as on 16.08.2021 whereafter the petitioner has submitted a representation on 08.02.2022 before the Collector for revocation of his suspension but no step has been taken by the respondents and the petitioner is continuing in suspension for over six and half years.

6. Learned counsel for the State submits that in the facts of the present case, the Collector (respondent no. 3) may be directed to consider the representation of the petitioner as contained in Annexure '8' to the writ application and pass a reasoned order thereon.

7. In the given facts and circumstances of the case, considering that an inquiry report as contained in Annexure '7' has already been submitted but the disciplinary authority is sitting over the matter, this Court directs respondent no. 3 to consider the representation dated 08.02.2022 (Annexure '8' to the writ application) within a period of one month from the date of receipt/ production of a copy of this order and pass an appropriate order in accordance with the Bihar Government



Servants (Classification, Control and Appeal) Rules, 2005.

8. Learned counsel for the petitioner may submit the
judicial pronouncements on the subject before respondent no. 3.

9. This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

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