

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17918 of 2022

Khurram Sultan son of Late Shri Sultan Haider, Resident of Flat No. 501,
Harshwardhan Apartment, Road No. 10, Inderpuri, Kesri Nagar, Patna, Bihar-
800024.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Old Secretariat, Government of Bihar, Patna.
2. The Chief Engineer, Rural Works Department Office, Government of Bihar, Patna- 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna- 800015
3. Special Secretary, Rural Works Department Office, Government of Bihar, Patna- 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna- 800015

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Saba Ashfaque, Adv.
For the State	:	Ms.Smt. Archana Meenakshee (GP6)
		Mr. H.S. Goldie, AC to GP-6

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has filed the writ petition claiming
revocation of suspension.

3. The fact which is not in dispute is that the petitioner
was suspended on 20-09-2022 (Annexure-4). It is also not in
dispute that charge memo dated 13-12-2022 has been issued.
Copy of the same is Annexure B series to the counter affidavit,
which has been filed in March, 2023, after due service upon the
learned counsel for the petitioner.

4. The charges having been framed and



communicated within three months from the date of suspension order, there is no occasion for this Court to exercise jurisdiction for passing orders in respect of revocation of the suspension in view of the provisions contained in Rule 9 (7) of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005, which reads as follows:-

“9.(7) Charge-sheet must be framed within three months from the date of issue of suspension order failing which on expiry of three months, the suspension order shall be revoked unless the authority, which issued the suspension order, passes the order renewing the suspension alongwith reasons to be recorded in writing for the delay in framing of charge-sheet for a further period of four months :

Provided that after the expiry of extended period of four months the suspension order shall stand revoked if the charge-sheet is not framed.”

5.The writ petition is dismissed.

(Madhuresh Prasad, J)

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