

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3096 of 2024

Shiv Shankar Singh Son of Late Rajendra Pd. Singh, Resident of Shivaji Colony, Ward No., 06, behind Gils High School, Purnea, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, New Secretariat, Patna.
2. District Magistrate, Purnea.
3. Municipal Commissioner, Municipal Corporation, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate

For the Respondent/s : Mr. Standing Counsel 21

For Purnea Municipal Corporation : Mr. Prince Kr. Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-03-2024 The present writ petition has been filed
seeking the following relief:-

"1. i) For issuance of a writ in the nature of Certiorari to quash the order contained in memo no. 2670 dated 5.11.2022 issued under the seal and signature of Municipal Commissioner, Purnea Municipal Corporation Purnea whereby ad whereunder the petitioner was placed under suspension under rule 9(2)A of the Bihar Govt. Servants (Clarification, Control, Appeal) Rules 2005 with effect from the date he was taken into police custody and sent to Jail and also for quashing order contained in memo no. 768 dated 01.03.2023 for placing the petitioner under suspension under 9(1C) w.e.f. 20.01.2023 till further orders and during suspension period Purnea Municipal Corporation was made



Headquarter.

(ii) For issuance of a writ in the nature of Mandamus directing/commanding the concerned respondent Authority to revoke the suspension order order to restore on the post he was placed under suspension.”

2. At the outset, the learned counsel for the parties are in agreement that the present writ petition can be disposed off with a direction to the disciplinary authority i.e. the Municipal Commissioner, Municipal Corporation, Purnea, to conclude the departmental proceeding, whether, pending or contemplated qua the petitioner, within a period of three months from today, failing which the order of suspension of the petitioner dated 05.11.2022, shall stand revoked automatically. It is directed accordingly.

3. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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