

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5650 of 2024

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Ramesh Kumar Son of Late Siya Saran Chaudhary Resident of Mohalla-
House No. 86, Road No. 4, Doctor Kishori Mohan Khan Complex,
Chandauti, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Government of Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya, District- Gaya.
3. The Collectpr-cum-District Magistrate, Gaya, District- Gaya.
4. The Sub Division Officer, Sherghati, District- Gaya.
5. The Circle Officer, Imamganj, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Virendra Prasad, Advocate
For the Respondent/s : Mr.Standing Counsel 24

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1(i) For issuance of an appropriate writ for quashing contained in Memo No. 1204 dated 25.08.2023 (Annexure-P/5) by which the Respondent No. 3 has suspended the petitioner on the basis of report submitted by the Sub Divisional Officer, Sherghati, Gaya dated 19.08.2023;

(ii) For issuance of an appropriate writ by which the Respondent No. 3 issued suspension order violating Rule 9 of Bihar Government Servants (Classification, Control, Appeal) Rules, 2005;



(iii) For issuance of an appropriate writ to the effect that the Respondent Authority did not file Memo of Charge (Prapatra-K) within the prescribed period i.e. 90 days from issuance of suspension order dated 25.08.2023.

(iv) For issuance of an appropriate writ to the effect that the Respondent Authority has not followed / obeyed Rule 9(7) of Bihar Government Servants (Classification, Control and Appeal), Rules, 2005;”

2. At the outset, the learned counsels for the parties are in agreement that a direction can be issued to the disciplinary authority to conclude the departmental proceeding in question, within a period of six months from today, failing which the order of suspension dated 25.08.2023, shall stand revoked automatically. It is directed accordingly.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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