

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10981 of 2021

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Ram Pukar Tiwari son of Satyadev Tiwari resident of P.P. Road, Buxar, Police Station- Sadar, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Agriculture, Vikash Bhawan, New Secretariat, Patna.
2. The Director Agriculture, Vikash Bhawan, New Secretariat, Patna.
3. The District Agriculture Officer, Buxar.
4. Krishnand Chakravarti, at present posted as District Agriculture Officer, Buxar.
5. The Block Agriculture Officer, Kesath Block, District- Buxar.
6. The Assistant Director (Plant Protection), Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vipin Kumar, Advocate Mr.Sanjay Kumar, Advocate Ms.Rashmi Kumari, Advocate
For the Respondent/s	:	Mr.Sarvesh Kr. Singh, AAG-13 Mrs.Sunita Kumari, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 24-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) For quashing the office order no.117/2020 issued by the District Agriculture Officer, Buxar under memo no.1915 dated 29.09.2020 whereby the petitioner has been visited with the major punishment of withholding of three annual increment with cumulative effect without holding the regular departmental proceeding against the petitioner.

(II) For quashing the office order issued under



memo no.2216 dated 11.12.2020 by the District Agriculture Officer, Buxar whereby the petitioner has been suspended in contemplation of departmental proceeding.

(III) For direction to the respondent District Agriculture Officer, Buxar to revoke the suspension of the petitioner and allow him to work as Agriculture Co-Ordinator with all consequential benefits.

(IV) For quashing the memo of charge dated 13.3.2021 framed by the Block Agriculture Officer, Kesath Block on the order of District Agriculture Officer and also for quashing the very initiation of the departmental proceeding against the petitioner to hold that order of suspension and initiation of departmental proceeding against the petitioner is wholly arbitrary, unreasonable, in violation of the Principle of natural justice, without jurisdiction and in teeth of the principle enshrined under Article 20 of the Constitution of India and thus, illegal.”

2. At the outset, the learned counsel for the petitioner seeks a direction upon the Director, Agriculture-cum-Appellate Authority to dispose off the appeal, filed by the petitioner on 15.12.2020, against the order of punishment dated 29.09.2020, within a stipulated time frame.



3. Per contra, the learned counsel for the respondent-State submits that in case the aforesaid appeal is still pending adjudication, the same shall definitely be disposed off, within a stipulated time frame, as is fixed by this Court.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Director, Agriculture-cum-Appellate Authority to dispose off the aforesaid appeal, in case the same is still pending, by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks of receipt/production of a copy of this order.

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

(Mohit Kumar Shah, J)

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