

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9455 of 2023

Praveen Kumar Sinha son of Late Devendra Prasad, Resident of 204 A, Girija Apartment, In front of P.N. Anglo School, Naya Tola, Bari Road, P.S.-Pirbahore District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through the Secretary, Agriculture Department, 2nd Floor, New Secretariat, Vikas Bhawan, Patna-800015.
3. The Special Secretary-cum-Director, BAVAS-cum-Administrator, BSA Marketing Board, Agriculture Department, 2nd Floor, New Secretariat, Vikas Bhawan, Patna-800015.
4. The Agriculture Director, Bihar, Patna Krishi Bhawan, Mithapur.
5. The District Magistrate, Sasaram.
6. The Joint Agriculture Director-cum-Controller, Weight and Measure, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Advocate Ms. Shrishti Singh, Advocate
For the Respondent/s	:	Mr. Panav Kumar, Advocate Mr. Anant Prasad Singh (SC-15)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-01-2024 The present writ petition has been filed
seeking the following reliefs:-

“1.(i) To issue an appropriate writ, order, direction in the nature of Certiorari for quashing the memo no. 585 dated 29.05.2023 issued under the signature of Agriculture Director, Bihar whereunder the petitioner has been put under suspension in terms of Rules 9(1) of the Bihar Government Servants (Classification,



Control & Appeal) Rules, 2005 as the suspension is contrary to memo no. 945 dated 24.06.2005 issued by the then Department of Personnel and Training, Government of Bihar (Annexure-1. Pg. 18).

(ii) To issue an appropriate writ, order, direction in the nature of Mandamus commanding the respondents to revoke the suspension of the petitioner with immediate effect with all consequential benefits.

(iii) To issue an appropriate writ, order, direction in the nature of Mandamus commanding the respondents to revoke the suspension of the petitioner and treat the period of suspension as a period spent on duty.

(iv) To issue an appropriate writ, order, direction in the nature of Mandamus commanding the respondents to pay the remaining portion of the salary of the petitioner, and other consequential benefits, during the period of suspension from 29.05.2023 to till date in terms of Rule 11 of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005.”



2. At the outset, the learned senior counsel for the petitioner as also the learned counsel for the respondent-State are agreeable to disposal of the present writ petition with a direction to the respondents-authorities to initiate and conclude the departmental proceeding, which is under contemplation, within a period of three months from today, failing which the order of suspension dated 29.05.2023, issued by the Director Agriculture, Agriculture Directorate, Bihar, Patna, shall stand vacated automatically. It is directed accordingly.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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