

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12593 of 2024

Faiyaz Ahmad Son of Late Md. Yaseen Ansari Resident of Ward no 9,
Barhara Bahraha P.S.-Babu-Barhi, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Prohibition, Excise and Registration Department, New Secretariat, Patna.
2. Additional Chief Secretary, General Administration Department, Old Secretariat, Patna.
3. Secretary-Cum-Commissioner, Prohibition, Excise and Registration Department, New Secretariat, Patna.
4. Niranjana Kumar Son of not Known at Present Deputy Secretary, Prohibition, Excise and Registration Department, New Secretariat, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Advocate
For the Respondent/s : Mr. Abbas Haider, SC-6

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 30-08-2024 An order of suspension is under challenge in the instant writ petition on the ground that the said order of suspension was passed not by the higher authority of the petitioner but an officer belonging to Group-II of Bihar Excise and Prohibition Department and therefore, the suspension order is bad in law.

2. It appears from the record that after suspension, departmental proceeding was initiated against the petitioner. The inquiry officer submitted his report. Now it is for the departmental authority to take final decision with regard to the disciplinary proceeding.



3. Therefore, this Court is not inclined to restrain the disciplinary authority from carrying out the disciplinary proceeding against the petitioner. However, the petitioner is given liberty to raise the issue as to whether the order of suspension (Annexure-P/4) is legal, valid and sufficient before the Disciplinary Authority and the Disciplinary Authority while passing the order shall decide this question by passing reasoned order within 30 days from the date of communication of this order.

4. Accordingly, the instant writ petition is thus, disposed of.

(Bibek Chaudhuri, J)

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