

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15979 of 2022

Sanjay Kumar Son of Late Dr. J.N Prasad, Resident of Arya Kumar Road,
P.O. Rajendra Nagar, P.S. - Kadamkuan, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary-cum-Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
2. The Additional Chief Secretary-cum-Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna.
3. The Joint Secretary, Department of Mines and Geology, Government of Bihar, Patna.
4. The Director (Mines and Geology), Department of Mines and Geology, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shyameshwar Kumar Singh, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha (Ga 7)
		Mr. Ajit Kumar, AC to GA-7
For Mining	:	Mr. Naresh Dikshit, Advocate
		Ms. Kalpana, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-03-2024 The present writ petition has been filed
seeking the following relief:-

“1. That the petitioner has filed the present writ application, for a writ/ Order or direction, in the nature of a Writ of Mandamus or any other writ/ order or direction, commanding the Respondents to accept the joining of Petitioner forthwith and allow him to discharge his duties as Assistant Director (Mines) as his order of suspension stood revoked by operation of law, in terms of Rule



9 (7) of the CCA Rules and consequentially to grant him all consequential benefits such as continuity, Pay, increments etc with effect from the date of revocation of order of suspension, in accordance with Law.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.2, i.e. the Additional Chief Secretary-cum-Principal Secretary, Department of Mines and Geology, Government of Bihar, Patna, for determination of the pay and allowances, to which the petitioner is entitled to for the period of suspension, in terms of Rule 9(7) of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005.

3. Having regard to the limited prayer made by the petitioner in the present writ petition, I deem it fit and proper to grant liberty to the petitioner to approach the respondent no.2 for redressal of his aforesaid limited grievances.

4. It is needless to state that in case appropriate representation is filed, within a period of two weeks from today, the respondent no.2 shall



dispose off the same by passing a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

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

(Mohit Kumar Shah, J)

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