

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6836 of 2018

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Ravi Shankar Priyadarshi Son of Bal Kishun Prasad, Resident of Village-
Dhanada, P.S. Daniwaya, District- Patna Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Patna.
3. The Deputy Development Commissioner, Patna.
4. The Block Development Officer, Daniyawa, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Adv.
For the Respondent/s : Mr.Anjani Kumar- AAG4

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-03-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for directing the respondents to allow the petitioner to sign on the attendance register and to take work from him and to pay the wages of past and present as he was appointed on the post of Gramin Awas Sahayak under Block- Danyawa within the District- Patna.

3. Counsel for the petitioner submits that vide Annexure-8 , it is clear that the charge memo has been served in the light of initiation of departmental proceeding against him. In that light, departmental proceeding has been initiated against



him, but the petitioner is completely unaware that what happened to the said departmental proceeding.

4. Counsel further submits that according to law, once the departmental proceeding has been initiated, then he is entitled for subsistence allowance according the Bihar Government Servant (Classification, Control and Appeal) Rules, 2005. He submits that the petitioner has filed representation vide Annexure 11 dated 13.02.2018, but the respondent authorities are kept mum. Even after filing of the representation. Respondent has not filed the counter-affidavit in this case till date.

5. Counsel for the State submits that from the appointment letter, it transpires that his appointment is contractual and there must not be any departmental proceeding, but in this regard, no counter-affidavit has come. Counsel submits that he is submitting his argument by virtue of his experience and there is no instructions from the State office till date.

6. In this background, the present writ application is hereby disposed off, directing the Principal Secretary, Rural Development to pass a reasoned and speaking order on Annexure 11 of the writ petition, which the petitioner has filed



before him on 13.02.2018 as well as respondent authorities shall decide the departmental proceeding to its conclusive end so far as the petitioner is concerned, within 90 days from the date of production of the order.

(Dr. Anshuman, J.)

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