

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14479 of 2023

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Suman Singh @ Suman Kumar Singh Son of Ram Nihora Singh, (Panchayat Secretary, under suspension, Auraiyya and Bakhri Panchayat, Adapur Block, West Champaran), Male aged about 57 years, Son of Ram Nihora Singh, Resident of Village- Mankarariya, P.S. Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj, Government of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The District Panchayat Raj Officer, East Champaran, Motihari.
4. The Sub Divisional Magistrate, Sadar Motihari, District- East Champaran.
5. The Block Development Officer, Kalayanpur, East Champaran, Motihari.
6. The Block Development Officer, Adapur Block, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Rashmi Jha, Adv.
For the Respondent/s : Mrs.Archana Meenakshee, GP- 6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 19-03-2024 1. Though the present writ petition has been filed for quashing the order dated 03.04.2023, passed by the District Magistrate, East Champaran at Motihari, by which the petitioner has been suspended from the post of Panchayat Secretary, Gram Panchayat Raj-Auraiyaa and Bakhri, Adapur Block, however, the learned counsel for the petitioner has confined the relief sought for in the present writ petition to issuance of a direction upon the Disciplinary Authority to conclude the disciplinary proceedings, within a fixed time frame and during the interregnum period Subsistence Allowance be directed to be



paid to the petitioner.

2. Per contra, the learned counsel for the respondent-State submits, by referring to the counter affidavit, filed in the present case, that the petitioner is already being paid Subsistence Allowance and the departmental proceeding has also been initiated by the Disciplinary Authority, inasmuch as *Prapatra (Ka)* has been served upon the petitioner, hence it is submitted that the departmental proceeding shall be concluded, within a stipulated time frame, as is directed by this Court.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the disciplinary authority to conclude the departmental proceeding in question, qua the petitioner herein, within a period of six months from today failing which the order of suspension dated 03.04.2023 shall stand revoked automatically. It is further directed that the respondents shall continue paying the Subsistence Allowance to the petitioner, in accordance with law, promptly.

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

(Mohit Kumar Shah, J)

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