

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6844 of 2023

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1. Pramod Kumar Singh Son of Late Banshi Lal Singh, Resident of Village Mungeriganj, Ward No. 33, P.S.- Begusarai Town, District- Begusarai.
 2. Ranju Kumari Wife of Pramod Kumar Singh, Resident of Village Mungeriganj, Ward No. 33, P.S.- Begusarai Town, District- Begusarai.

... .. Petitioner/s

Versus

1. The Union of India through the Director, General Postal Services.
2. The Chief Post Master General, Patna.
3. The Post Master General, Patna.
4. The National Saving Executive Officer, Begusarai.
5. The Postal Superintendent, Begusarai.
6. The Deputy Postal Superintendent, Begusarai.
7. The Postal Inspector, Begusarai.
8. The Sub-Post Master, Sub Post Office G.D. College Road, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Kishore, Sr. Adv. Mr. Saroj Kumar, Adv.
For the Respondent/s	:	Mr. Anshay Bahadur Mathur, C.G.C.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 05-02-2025

Heard the learned counsel for the parties.

2. This writ petition has been filed for the following
relief(s):-

*“That this writ application is being
filed for quashing of the letter No. 312/ dt.
7.10.2022 issued by the office of National Saving
Officer, Begusarai by which the Executive Officer,
National Saving Officer, Begusarai has suspended
the operation of license of the petitioner No. 1 as
Agent I.D. No. 8511010200007 and Agent ID No.
8511010200008 (Petitioner No. 2) with immediate*



effect as well as for quashing of the letter No. F6-01/Bihat S.O./2022 dated at Begusarai the 3.10.2022 issued from the office of postal Superintendent Begusarai Division, Begusarai by which he has recommended to his authority for cancellation and suspension of legally allotted Agent ID numbers of the petitioners. Consequently the petitioners are facing starvation for no fault.”

3. Learned counsel for the petitioner has stated that both the petitioner Nos. 1 and 2 are post office agents who are attached to the GD College Sub Post Office under Begusarai Postal Division. That they have been allotted agent numbers and since the last more than 20 years they have been extending their services to approximately 600 clients without any complaint from any quarter. Learned counsel has stated that the local officials of the postal departments were involved in defrauding the post office to a tune of approximately Rs. 2,13,98,512/- and it is their allegation that the petitioner No. 1 was also involved in the said fraud. Thereafter, the authorities have suspended the agency of the petitioner nos. 1 and 2 without putting them on show cause notice. Learned counsel has stated that though a criminal inquiry was done by the CBI, the role of the petitioner no. 2 or her involvement in the said fraud has not been raised at any point of time nor any chargesheet is filed against her. But the authority without any reason or cause have



suspended the license of the petitioner No. 2 solely on the ground that the petitioner no. 2 is the wife of the petitioner no. 1. Learned counsel has stated the petitioner no. 2 is no way involved in any fraud alleged to have been committed by the postal officials along with her husband. That due to the suspension order the petitioner no. 2 has no means of livelihood and is on the verge of starvation. Learned counsel has stated that the allegations of fraud, if any, are only against the petitioner no. 1 and not against the petitioner no. 2. Further, it is stated that the question as to whether the petitioner nos. 1 and 2 are involved in the said crime is the subject matter of a criminal case bearing FIR No. RC0232022A00 (20) / 2022 pending before the Court of Learned Special Judge (II), CBI, Patna, Bihar. Learned counsel has stated that in the chargesheet filed by the CBI, there is no whisper that the petitioner no. 2 is either involved in the said crime or she has been named in the said chargesheet. Learned counsel has stated that the authority without putting the petitioners on any show cause notice have straightway suspended the agency license of both the petitioner nos. 1 and 2. Learned counsel has, therefore, prayed this hon'ble Court to allow the present writ petition.

4. Per contra, the learned counsel appearing on behalf of the respondents has vehemently opposed the very maintainability



of the present writ petition. Learned counsel has stated that the petitioner no. 1 was involved in a serious crime of defrauding the postal department to the tune of approximately Rs. 2,13,98,512/-. That along with some employees of the postal department, the petitioner no. 1 has defraud an amount of Rs. 2,13,98,512/- thereby causing huge monetary loss to the department. Learned counsel has stated that the CBI after due inquiry has also filed a chargesheet against the petitioner no. 1 that the allegations being serious and the evidence likely to be adduced by the complainants, there is fairly good chance that the petitioner No. 1 getting convicted in the said case. Learned counsel has further stated that unless and until there is trust between the petitioners and the department, the question of allowing the petitioners to act as agents for the postal department does not arise.

5. When queried by this court, learned counsel for the respondents has fairly stated that going by the record, there is no formal allegation against the petitioner no. 2. Further any charge sheet is filed by the CBI naming her as an accused nor there is any whisper with regard to her involvement in the said crime. Though the learned counsel for the respondents has tried to impress upon this Court that the petitioner no. 2 being the wife of the petitioner no. 1 in all likelihood will be having knowledge about the fraud



being played by the petitioner no. 1, the same cannot be taken into consideration for the purpose of deciding this case.

6. Admittedly, in the present case, there is no whisper against the petitioner no. 2 that she has participated in the commission of the crime, the only crime that can be attributed to her is that she happens to be the wife of the petitioner no. 1. Except the above ground, there is no other reason for suspending the license of the petitioner no. 2. Further, it is to be noted that the suspension order is passed without putting the petitioners on prior notice. That in so far as the petitioner no. 1 is concerned, this Court is not inclined to pass any order in his favour as a chargesheet has already been filed by the CBI and the same is pending trial before the Court of Learned Special Judge (II), CBI, Patna, Bihar.

7. Having regard to the above mentioned facts and circumstances, the present writ petition is partly allowed. The letter No. 312 dated 07.10.2022 against the petitioner no. 2 only is set aside and the agency of the petitioner No. 2 is restored. The authority shall permit the petitioner No. 2 to continue her business without any hindrance. In case any material is found against the petitioner No. 2, the authorities are free to take necessary action strictly in accordance with law duly putting her on notice and



calling for an explanation before any steps are taken either for suspension or cancellation of her license. In case the officials have detached any RD Accounts which have been linked with the ID code of the petitioner no. 2, they shall be restored to her ID Account.

8. With the above directions, the present writ petition stands partly allowed to the extent indicated.

(A. Abhishek Reddy , J)

Gauravkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.02.2025
Transmission Date	NA

