

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10187 of 2025

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Md. Salahuddin Khan @ Md. Salauddin Khan, S/o Md. Sakur Khan @ Abdul Sakur, R/o Village- Ward No.-6, Madhopur Raushan @ Madhopur Raushan, P.S.- Dumra, Dist- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Bihar, Patna.
2. The District Magistrate cum District Officer cum Collector, Sitamarhi.
3. The Additional Collector, Sitamarhi.
4. The Deputy Collector (Establishment), Sitamarhi.
5. The Sub Divisional Officer, Sitamarhi Sadar, Sitamarhi.
6. The Block Development Officer Majorganj, Dist.- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Adv. Mr. Santosh Kumar, Adv.
For the Respondent/s	:	Mr. Birju Prasad, GP-13 Ms. Sweta Anand, AC to GP-13 Mr. Ajit Anand, AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2025

Heard the parties.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction upon the respondent(s) to ensure payment of salary for the suspension period w.e.f. 17.05.2017 to 11.06.2018 with two increments as also the benefit of 7th Pay Commission and its arrears thereof.

3. Learned Advocate for the petitioner submitted that on account of alleged consumption of liquor, an FIR bearing Dumra P.S. Case No.150/2017 came to be lodged. For the said charge(s), the petitioner was also placed under suspension and a



departmental proceeding was also initiated long back in the year 2017. The enquiry was conducted and the Conducting Officer has submitted the enquiry report on 05.12.2017 itself, but to the utter surprise, till date the departmental proceeding has not been concluded; moreover, in the meanwhile, the petitioner superannuated on 31.01.2021 itself. The petitioner has been compelled to face the rigors of departmental proceeding for over a period of eight years; apart from he has also been deprived from his salary and retiral benefit(s).

4. Mr. Birju Prasad, learned Advocate for the State has submitted that since salary for the suspension period shall be abide by the final outcome of the departmental proceeding, which is still pending; it is expected that the same shall be concluded in near future.

5. This Court is pained to see that the departmental proceeding came to be initiated long back in the year 2017 and the enquiry report also submitted on 05.12.2017, but till date the departmental proceeding has not been brought to its logical conclusion and thereby the petitioner has been bound to face serious repercussion.

6. It would be proper, for the ends of justice to dispose off the writ petition with a direction to the respondent no.2, the



District Magistrate-cum-District Officer-cum-Collector, Sitamarhi to take up the departmental proceeding and bring to its logical conclusion, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order. It would be suffice to observe that the claim of the petitioner as prayed for in the writ petition shall be dependent upon the final outcome of the departmental proceeding.

7. It is expected that the respondent shall strictly adhere to the time prescribed.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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