

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8600 of 2024

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Anil Prasad Singh Son of late Ram Ekwil Singh R/O Vill. Garihar, Police Station - Masaudhi in the district of Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Its Principal Secretary, Rural Development Govt. of Bihar Patna.
2. The Secretary, Panchayati Raj, Govt. of Bihar Patna.
3. The Deputy Collector Cum Conducting Officer, Departmental Proceedings, Patna.
4. The Block Development officer Naubatpur.
5. The Deputy Development Commissioner, Patna.
6. The Block Development Officer, Punpun, Patna.
7. The Subdivisional Officer Mashaurhi, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Kinkar Kumar (SC-9)
		Mr. Yogesh Kumar (AC to SC-9)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for issuance of an appropriate writ/writs, order/orders, direction/directions for the following relief/s:-

“1. To issue a writ in the nature of certiorari to quash the order vide Memo no. 94 dated 08/01/2024 issued under signature of District Magistrate, Patna whereby and whereunder departmental proceeding was initiated against the petitioner without any substantive evidence.



II. Also for issuance of a writ in the nature of certiorari to quash the memo of charge dated 06.01.2024 framed against the petitioner in course of departmental proceeding.

III. Also for issuance of a writ in the nature of mandamus commanding the respondent to stay the departmental proceeding against the petitioner till the disposal of present writ application.

IV. For any other relief/reliefs for which petitioner is found entitled in the eye of law. ”

3. Learned counsel for the petitioner submits that the memo of charge framed against the petitioner is not in accordance with law and therefore, the same should be set aside. Counsel further submits that the departmental proceeding has been initiated without any substantive evidence and therefore, the said proceeding be also stayed.

4. Learned counsel for the State, on the other hand, submits that the counter affidavit has been filed. Counsel submits that the petitioner has challenged the memo of charge but, he is not supporting in the enquiry proceeding. Counsel submits that *Prapatra-Ka* is not defective. He further submits that the petitioner was posted as Panchayat Sachiv, Punpun at



the relevant period of time and he was found to have committed serious financial irregularities and also violated the guidelines issued by the department. It is due to this reason, the disciplinary authority viz, the District Magistrate has decided to initiate the departmental proceeding against the petitioner. He also submits that in the said departmental proceeding, the Additional District Magistrate, Departmental Enquiry, Patna has been appointed as the Conducting Officer and the Block Development Officer, Punpun as the Presenting Officer.

5. From perusal of *Prapatra-Ka*, it transpires that there is an allegation against the present petitioner. As such, this Court without entering into the merit or demerit of the charge memo, directs the petitioner to participate in the departmental proceeding and raise all his grievances before the Enquiry Officer. It is hereby directed to conclude the proceeding, within three months.

6. Accordingly, this writ petition stands dismissed.

(Dr. Anshuman, J)

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