

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.22810 of 2012**

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Jugan Kumar S/O Late Krishna Bind Resident Of Mohalla- Sheikhpura, Bind Toli, P.S- Shastri Nagar, Town and District- Patna.

... .. Petitioner/s

Versus

1. Patna Municipal Corporation, Patna, Budh Marg, G.P.O., Patna through the Municipal Commissioner
2. The Municipal Commissioner, Patna Municipal Corporation Budh Marg, G.P.O. Patna.
3. The Executive Officer, Bankipur Circle, Patna Municipal Corporation, Budh Marg, G.P.O. Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Dubey, Advocate  
For the Respondent/s : Mr. Ranjeet Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      28-06-2024                      Petitioner has *inter alia* prayed for following reliefs  
in the paragraphs No.1 of the writ petition:-

*“1. That the present writ application has been filed for a direction upon the respondent concerned to pay the salary of the petitioner for the suspension period i.e. from 03.10.09 to 06.03.11 during which though the petitioner was put under suspension in contemplation of a departmental proceeding but when after elapse of sixteen months memo of charge could not be served upon the petitioner then in view of Rule 9(7) of the Civil Services Classifications and Control Act, 2005 suspension of the petitioner has been revoked in pursuance of office order as contained in memo no.884 dated 06.03.2011 issued by the Municipal Commissioner, Patna with condition that if required then fresh memo of charge may be issued and payment of salary to the petitioner other than substantive allowance will be subject matter of that proceeding but till date neither memo of charge has been served nor any proceeding has been initiated and as such the petitioner is entitled to get full salary of suspension period in want of any adverse order against the petitioner; And/or for issuance of any other order(s) for which the petitioner is found entitled in the facts and circumstances of the case.”*



2. Considering the relief, as prayed for in the present writ petition, the petitioner, if so desires, may file a detailed representation before the authority concerned for redressal of his grievance, considering the fact that clear statement has been made on behalf of the petitioner that the suspension of the petitioner was revoked and the departmental proceeding, as contemplated, was not initiated, as a result of which, the petitioner becomes entitled for the salary for the period he was suspended. The concerned respondent is directed to verify from the records and if he finds that petitioner is entitled for the relief, as prayed for the in the present writ petition, then the same must be paid to the petitioner within a period of six weeks.

3. The writ petition is, accordingly, disposed of.

**(Purnendu Singh, J)**

Sanjay/-

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