

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5039 of 2015

=====

Most. Dhanmanti Devi, Wife of Late Jageshwar Singh Resident of Village-
Madarna, P.S. Vaishali, District Vaishali

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Patna
2. The District Magistrate, Vaishali
3. The Deputy Development Commissioner, Vaishali
4. The Sub Divisional Officer, Vaishali Sadar, Vaishali
5. The Block Development Officer, Block- Vaishali, District-Vaishali.
6. The District Certificate Officer [Hajipur] Vaishali.
7. The Sub Divisional Certificate Officer, Hajipur District Vaishali

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Anirudh Kumar Sinha, Advocate
For the State : Mr. Karandeep Kumar, A.C. to G.P. 4

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 23-06-2015

Petitioner is aggrieved by the initiation of the certificate case no.01/14-15 on the basis of letter no.88 dated 23.01.2014 issued by the respondent no.5, the Block Development Officer, Vaishali. The allegation is that though the petitioner's name was not in the BPL list, she has been granted the benefit of Indira Awas. Petitioner submits that the name of her late husband was there in the BPL and I.R.D.P. list and, since he died, the Indira Awas was granted to her. However, in view of some complaint made in this regard by somebody, the Block Development Officer has taken such action. She claims to have approached the District Magistrate also in this regard but in place of

passing any order, the certificate case has been initiated against her.

In above view of the matter, this Court would grant liberty to the petitioner to approach the District Magistrate, Vaishali by filing a representation along with a copy of this order within four weeks. If such representation is filed, let the same be considered by the District Magistrate. He will make an enquiry and would ascertain as to whether the name of the petitioner's husband was there or not in the BPL list or the petitioner belongs to the BPL category or not and, thereafter, he will take a decision. It is expected that the entire exercise would be completed within four weeks thereafter.

Till a decision is taken in the aforesaid manner, let no coercive action against the petitioner for recovery of the amount be taken by the Certificate Officer. This is made clear that if the petitioner does not approach the District Magistrate within the aforesaid period, in such case, the Certificate Officer would not be bound by the aforesaid direction.

This disposes of the writ petition.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

U			
---	--	--	--