

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.141 of 2015

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1. Bhogendra Ram Son of Jeevachch Ram resident of Village- Kishun Nagar, P.S- Katra, District- Muzaffarpur.
 2. RADSHSHYAM MANDAL, Son of Late Jageshwar Mandal resident of Village- Anmnugua, P.S- Katra, District- Muzaffarpur.
 3. RAMA RAI Son of Raji, resident of Village- Chainpur, P.S- Katra, District- Muzaffarpur.
 4. RAM CHANDRA DAS Son of Gulab Das, resident of Village- Kharaj, P.S- Katra, District- Muzaffarpur.
 5. HARE RAM SHARMA Son of Bharosh Sharma, resident of Village- Kishun Nagar, P.S- Katra, District- Muzaffarpur.
 6. RAJENDRA RAM Son of Jagdev Ram, resident of Village- Kishun Nagar, P.S- Katra, District- Muzaffarpur.
 7. HARDAY DAS Son of Late Ram Kishan Das resident of Village- Kishun Nagar, P.S- Katra, District- Muzaffarpur.
 8. JHARI DAS Son of Late Birju Das resident of Village- Kishun Nagar, P.S- Katra, District- Muzaffarpur.
 9. MD. ROZAI Son of late Md. Baghelan, resident of Village- Anyaypur P.S- Katra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Home Secretary, Govt. of Bihar, Bihar, Patna.
3. The Home Commissioner Govt. of Bihar Patna.
4. The Director General of Police Govt. of Bihar Patna.
5. The Inspector General of Police, Tirhut Range, Muzaffarpur.
6. The Deputy Inspector General of Police Tirhut Range, Muzaffarpur.
7. The District Magistrate, Muzaffarpur.
8. The Senior Superintendent of Police, Muzaffarpur.
9. The Deputy Superintendent of Police, Muzaffarpur.
10. The Block Development Officer, Katra, Muzaffarpur.
11. The Officer Incharge, Katra Police Station Muzaffarpur.

.... Respondent/s

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With

Civil Writ Jurisdiction Case No.510 of 2015

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1. Harshvardhan Pathak Son of Krishnadev Pathak resident of village - Lakhanpur, P.S. Katra, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Home Secretary Govt. of Bihar, Patna
3. The Home Commissioner Govt. of Bihar, Patna
4. The Director General of Police Govt. of Bihar, Patna
5. The Inspector General of Police Tirhut Range, Muzaffarpur
6. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur
7. The District Magistrate, Muzaffarpur
8. The Senior Superior of Police, Muzaffarpur

- 9. The Deputy Superintendent of Police, Muzaffarpur
- 10. The Block Development officer, Muzaffarpur
- 11. The Officer Incharge, Katra Police Station Muzaffarpur

.... Respondent/s

With

Civil Writ Jurisdiction Case No.511 of 2015

- 1. Ganeshi Das Son of Ganour Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 2. Ram Murit Mandal Son of Jageshwar Mandal resident of village - Annugua, P.S. Katra, District - Muzaffarpur
- 3. Shivjee Das Son of Jagdev Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 4. Shiv Narayan Das Son of Jagdev Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 5. Kallar Das Son of Late Anup Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 6. Dev Narayan Das Son of Late Achchhe Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 7. Shankar Das Son of Late Monglal Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 8. Md. Manna Son of Late Alamgir resident of village - Mahisoutha, P.S. Nanpur, District - Sitamarhi
- 9. Indal Das Son of Kallar Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi
- 10. Most Salpha Khatoon wife of Late Md. Rajaul resident of village - Mahisoutha, P.S. Nanpur, District - Sitamarhi
- 11. Ram Babu Das S/o Ram Udar Das resident of village - Bathaul, P.S. Nanpur, District - Sitamarhi

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Home Secretary Govt. of Bihar, Patna
- 3. The Home Commissioner Govt. of Bihar, Patna
- 4. The Director General of Police Govt. of Bihar, Patna
- 5. The Inspector General of Police Tirhut Range, Muzaffarpur
- 6. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur
- 7. The District Magistrate, Sitamarhi
- 8. The District Magistrate, Muzaffarpur
- 9. The Senior Superintendent of Police, Muzaffarpur
- 10. The Deputy Superintendent of Police, Muzaffarpur
- 11. The Senior Superintendent of Police, Sitamarhi
- 12. The Senior Superintendent of Police, Darbhanga
- 13. The Block Development officer, Nanpur Bokhara, Muzaffarpur
- 14. The Block Development officer, Katra, Muzaffarpur
- 15. The Officer Incharge, Nanpur Police Station Sitamarhi
- 16. The Officer Incharge, Katra Police Station Muzaffarpur

.... Respondent/s

With
Civil Writ Jurisdiction Case No.754 of 2015

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1. Suresh Das Son of Late Dhanesh Das Resident of Village - Kharaj, P.S. - Katra, District - Muzaffarpur
 2. Ram Bali Rai Son of Late Deoki Rai Resident of Village - Chainpur, P.S. - Katra, District - Muzaffarpur
 3. Raghu Nandan Das Son of Lakhapati Das Resident of Village - Kharaj, P.S. - Katra, District - Muzaffarpur
 4. Binde Das Son of Late Soman Das Resident of Village - Kishun Nagar, P.S. - Katra, District - Muzaffarpur
 5. Amresh Das Son of Late Shankar Das Resident of Village - Kishun Nagar, P.S. - Katra, District - Muzaffarpur
 6. Raghu Nath Das Son of Late Ram Kishun Das Resident of Village - Kharaj, P.S. - Katra, District - Muzaffarpur
 7. Kailash Das Late Sahdeo Das Resident of Village - Kishun Nagar, P.S. - Katra, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Home Secretary Govt. of Bihar, Patna null null
3. The Home Commissioner Govt. of Bihar, Patna
4. The Director General of Police Govt. of Bihar, Patna
5. The Inspector General of Police Tirhut Range, Muzaffarpur
6. The Deputy Inspector General of Police Tirhut Range, Muzaffarpur
7. The District Magistrate, Muzaffarpur
8. The Senior Superintendent of Police, Muzaffarpur
9. The Deputy Superintendent of Police, Muzaffarpur
10. The Block Development Officer, Katra, Muzaffarpur
11. The Officer Incharge, Katra Police Station Muzaffarpur

.... Respondent/s

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Appearance :

(In CWJC No.141 of 2015)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Respondent/s : Mr. Shivendra Kishore, AAG-7

(In CWJC No.510 of 2015)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Respondent/s : Mr. Dr. Anshuman, SC-14

(In CWJC No.511 of 2015)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh, GA-3

(In CWJC No.754 of 2015)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Respondent/s : Mr. Arvind Kumar No. 1, SC-13

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-02-2015 Learned counsel is permitted to make appropriate corrections in the C.W.J.C. No. 141 of 2015 during the course of the day.

Since in all these writ petitions the grievance of the petitioners is the same hence they have been taken up for analogous consideration with a view to their final disposal.

Heard Mr. Pramod Kumar Singh, learned counsel for the petitioners and Mr. Shivendra Kishore AAG 7 for the State.

For the sake of convenience I shall be referring to the pleadings made in C.W.J.C. No. 141 of 2015

The petitioners pray for grant of benefits under the Scheme of the State Government providing for Surrender-cum-Rehabilitation benefits to members of extremists organization in order to bring them in the main social stream. According to the petitioners such applicants are entitled to payment of Rs. 1 lack for rehabilitation, Rs. 2 lacs for self employment and Rs. 3,000/- per month by way of pension besides benefits towards education to children, free health treatment and Indira Awas Yojana.

Mr. Shivendra Kishore learned AAG 7 with reference to the resolution of the State Government in its Home (Special) Department bearing Memo No. 2705 dated 23.11.2001 relatable to the issue, a copy of which is placed at Annexure-1 to the writ

petition has submitted that the foundational facts to entitle the petitioners for grant of such benefit are not clear and which would be required to be considered by the District Magistrate, Muzaffarpur.

Learned counsel for the petitioners submits that the petitioners have filed their representations before the District Magistrate, Muzaffarpur in this regard and have drawn attention of the other authorities as well but to no avail and hence this writ petition.

Having heard learned counsel for the parties and taking note of the grievance raised as well as the contentions advanced by Mr. Kishore, learned Additional Advocate General No. 7, this writ petition is disposed of with liberty to the petitioners to file an exhaustive representation before the District Magistrate, Muzaffarpur and who shall consider the claim of the petitioners in the backdrop of the Rehabilitation Scheme as enforced by the State in its Home (Special) Department vide Memo No. 2705 dated 23.11.2011 (Annexure-1) and dispose of the claim in accordance with law and after giving an opportunity of hearing to the petitioners expeditiously and preferably within three months from the date of receipt/production of a copy of this order.

(Jyoti Saran, J)

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