

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17223 of 2010

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Bhagat Singh, S/O Late Sheetal Singh, R/O Vill.- Thahara, P.S.- Maker,
Distt.- Saran

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Public Health and Engineering Department, Bihar, Patna
2. The Chief Engineer Public Health and Engineering Department, Bihar, Patna
3. Area Chief Engineer Public Health and Engineering Department, Muzaffarpur
4. The Superintending Engineer Public Health and Engineering Circle, Saran at Chapra
5. The Executive Engineer Public Health and Engineering Department, Chapra Commissioner at Chapra, Saran
6. The Commissioner, Chapra Commissioner at Chapra, Saran
7. The Collector Cum District Magistrate, Saran at Chapra
8. Nagnarayan Singh, S/O Late Matukdhari Singh, R/O Vill.- Thahra, P.S.- Maker, Distt.- Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

For the Respondent nos.1to7: Mr. Akhileshwar Singh, AC to GA-3

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 19-02-2015

Heard the parties.

The grievance of the petitioner in the present writ petition is that the respondent no.8 has obtained the government employment and is still continuing in service on the basis of a forged and fabricated certificate of his date of birth. According to him, the petitioner could have, by now, superannuated from service on completion of his age. It is also the grievance of the petitioner that, he filed a representation before the respondent District Magistrate, Saran at Chapra for an appropriate action against the respondent no.8, yet no final order was passed and the matter is still pending before the respondent District Magistrate, Saran at Chapra.

In view of the nature of grievances/claims raised on

behalf of the petitioner, he is directed to appear before the respondent District Magistrate, Saran at Chapra with all supporting documents, raising all the pleas, which have been raised in the present writ petition.

If the petitioner appears before the respondent District Magistrate, Saran at Chapra, in the manner indicated above, within a period of four weeks from today with a certified copy of the present order, then the respondent District Magistrate, Saran at Chapra either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner, after giving an opportunity of hearing to all concerned including respondent no.8, by a reasoned and speaking order, at an early date preferably within a period of three months from the date of appearance of the petitioner before the respondent District Magistrate, Saran at Chapra.

If on consideration of the materials, the competent authority comes to a conclusion that the grievances/claims raised on behalf of the petitioner are admissible to him, then the consequential order shall also be issued without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and the same is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

Arvind/-

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(Birendra Prasad Verma, J)