

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.263 of 2014

In

Civil Writ Jurisdiction Case No. 3404 of 2013

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Sri Bhagwan Singh Son Of Late Rameshwar Singh Resident Of Mohalla
Keshra Tola, Daud Nagar, Police Station Daud Nagar, District Aurangabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. Mr. Amit Praytay, The Principal Secretary, Road Construction
Department, Government Of Bihar, Patna
3. Mr. Chandra Shekhar, The Deputy Secretary, Road Construction
Department, Government Of Bihar, Patna
4. Mr. Baban Ram, The Engineer-In-Chief, Road Construction Department,
Government Of Bihar, Patna
5. Mr. J.P. Singh, The Executive Engineer, Bihar Police Building
Constrcution Corporation, Muzaffarpur
6. Mr. Bala Murgon Dea, The District Collector, Gaya
7. Mr. Girwal Daya Singh, The Deputy Development Commissioner, Gaya
8. Mr. Abhijeet Sinha, The District Collector, Aurangabad
9. Md. Hasimuddin, The Deputy Commissioner, Aurangabad
10. Mr. Shankar Jee Singh, The Block Development Officer, Town/Block,
Gaya
11. Mr. Yorhita Nand Das, The Block Development Officer, Belaganj,
District Gaya
12. Mr. Rajendra Sharma, The Block Development Officer, Daud Nagar,
Aurangabad
13. Mr. Uday Pratap Singh, The Block Development Officer, Aurangabad
14. Mr. Raj Kumar, The Block Development Officer, Koach, District -
Gaya
15. Mr, Chandra Mohan Sharma, The Block Development Officer, Guraru,
District Gaya
16. Mr. Shuhail Ahmad, The Block Development Officer, Paraiya, District
Gaya
17. Mr. Hari Shankar Sharma, The Block Development Officer, Sherghati,
District Gaya
18. Mr. Surendra Kumar Singh, The Block Development Officer,
Navinagar, District
19. Mr. Manoj Kumar Das, The Block Development Officer, Madanpur,
Aurangabad

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

2 05-05-2015 Heard learned counsel for the parties.

Having regard to the fact that the Opposite Parties have already disposed of the representation filed by the petitioner, this Court is not inclined to initiate proceeding of contempt. The submission of learned counsel for the petitioner that the petitioner was not in a position to sustain his claim because the records were in custody of Opposite Parties, can never change the settled position in law that the onus always lies on the petitioner/plaintiff to prove his case. If the petitioner therefore had filed to produce the documents in support of his claim of Rs. 21 lacs, the Opposite Parties are not supposed to hunt for him. In that view of the matter, this Court does not find the order disposing the representation of the petitioner contemptuous in any manner.

It is, accordingly, disposed of.

Nothing said in this order however will come in the way of the petitioner in moving before the appropriate forum/Court against the impugned order passed by the competent authority.

(Mihir Kumar Jha, J)

Ranjan/-

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