

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14826 of 2009

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Smt. Pariya Devi W/O Sri Dineswar Das, R/O Collectorate Road, P.S.-
Gandhi Maidan, Distt.- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Patna
3. Additional District Magistrate, Sadar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Respondent/s : Mr. Madhukar Krishna Sinha, SC-I
Mr. Sanjeev Kumar, AC to SC-I

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 03-02-2015

Heard the parties.

Despite order and direction dated 06.11.2009, counter-affidavit has not been filed on behalf of the respondents till date, though more than five years have elapsed. However, in view of the nature of grievances/claims raised on behalf of the petitioner, as indicated in paragraph-1 of the writ petition, this Court is of the opinion that instead of keeping the matter pending any further awaiting the respondents to file their counter-affidavit, the interest of justice shall be sub-served if the petitioner is granted liberty to file a comprehensive representation with all supporting documents before the respondent no.2, raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent no.2 shall be obliged to consider and decide the claims of the petitioner by a reasoned and speaking order at an early date preferably within a period of four months from the date of filing of such

representation.

If on consideration of the materials the respondent no.2 comes to a conclusion that claims raised on behalf of the petitioner are admissible to her, then consequential order shall also be issued for grant of such admissible claims 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 it 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.

(Birendra Prasad Verma, J)

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