

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19337 of 2013

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1. Md. Ali Khan Quadri Son of Haji Murad Ali Resident of Village-Gurdahan Khurd, P.S.- Manjhi, District- Saran At Chapra. (At Present Up Sarpanch, Kauru Dhouru Panchayat, Anchal- Manjhi, District- Saran At Chapara

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Saran at Chapra
3. The Deputy Development Commissioner, Saran at Chapara
4. The Sub Divisional Officer, Sadar Chapra
5. The Panchayat Raj Padadhikari, Saran at Chapra
6. The Block Development Officer, Manjhi Block, District- Saran at Chapra
7. The Sarpanch, Kauru-Dhauru Panchayat, Block- Manjhi, District- Saran at Chapra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.

For the Respondent/s : Mr. Mithilesh Prasad Singh, A.C. to S.C.9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 07-09-2015 Heard Mr. Umesh Kumar Mishra, learned counsel for the petitioner and Mr. Mithilesh Prasad Singh, A.C. to S.C.9 for the State.

The petitioner claims to be Up-Sarpanch of the Kauru-Dhauru Panchayat, Block-Manjhi in the district of Saran at Chapra and prays for an appropriate direction to the respondent authorities to make payment of his honorarium which remains pending since 1.7.2011.

It is the grievance of the petitioner that the Sarpanch has been withdrawing his honorarium by forging the signature of Up-Sarpanch without his knowledge and without his consent and as a result he did not get the same since 1.7.2011.

It is the grievance of the petitioner that he has been representing before the District Magistrate, Saran on the issue with a request to take appropriate measures for redressal of his grievance but to no avail and which is manifest from the applications present at Annexures-3 to 5.

Mr. Singh learned counsel for the State with reference to the statement made by the petitioner in paragraphs 9 and 10 of the writ petition submits that the petitioner himself accepts that his honorarium has been withdrawn by the Sarpanch by forging his signature and thus it is an inter party dispute.

Be that as it may, taking note of the grievance so raised by the petitioner herein and considering that the petitioner has attempted to draw the attention of the District Magistrate, Saran as regarding his grievance which has not borne any result, I deem it proper to dispose of this writ petition with the direction to the District Magistrate, Saran to consider the grievance of the petitioner and dispose of the same in accordance with law after giving an opportunity of hearing to the petitioner as well as the Sarpanch concerned and considering the nature of grievance raised herein any such decision be taken expeditiously and preferably within three months from the date of receipt/production of a copy of this order.

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(Jyoti Saran, J)