

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17310 of 2014

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Nagendra Kumar S/o Nirmohi Yadav Resident of Village Kewati,
Police Station Atari in the District Gaya.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Rural Development Department, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The Director, National Employment Programme, Patna.
5. The District Magistrate-cum-Collector, Gaya.
6. The Deputy Development Commissioner, Gaya.
7. The Sub Divisional Magistrate, Nimchak Bathani at Khizersarai in the District Gaya.
8. The Block Development Officer, Atari in the District of Gaya.
9. The Officer-in-Charge, Atari P.S. in the District of Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Adv.

For the Respondents: Mr. P.N. Shahi, A.A.G.-10

Mr. Rakesh Kumar Ranjan, A.C. to G.A.-12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH)**

Date: 05-10-2015



This writ application, in the nature of Public Interest Litigation, has been filed, seeking a direction to hold an enquiry into the allotment of houses under Indira Awas Yojna, in Atri Block, Gaya, since 2010-2011. The petitioner has made specific allegation of irregularities/illegalities, committed by the Vikash Mitra, namely, Sushma Kumari, in the writ application.

2. In compliance of the order, dated 22.09.2015, the Secretary, Department of Rural Development, Government of Bihar, and the Deputy Development Commissioner, Gaya, are personally present.

3. Heard Mr. Sunil Kumar, learned counsel, appearing on behalf of petitioner, Mr. P.N. Shahi, learned Additional Advocate General-10, appearing on behalf of the respondents and also Mr. Rakesh Kumar Ranjan, learned A.C. to G.A.-12, appearing on behalf of the respondents.

4. A supplementary counter affidavit has been filed on behalf of the Principal Secretary stating therein that the concerned Vikash Mitra, namely, Sushma Kumari, has been dismissed from service by an order,



dated 24.09.2015, by the competent authority. As regards, the then Block Development Officer, Atri block, in the district of Gaya, it has been stated that a departmental enquiry has already been initiated against him for the irregularities/illegalities, committed in allotment of houses, under Indira Awas Yojna, in the Atri block of the said district. It has also been stated that a First Information Report, bearing Atri P.S. Case No.151 of 2015, has been instituted with respect to the said irregularities/illegalities.

5. In view of the averments made in the supplementary counter affidavit, filed on behalf of the Principal Secretary, Department of Rural Development, Government of Bihar, we are of the view that the grievance, raised by the petitioner, in the present application, stands substantially redressed. We need not go any further into the matter, except by way of making an observation that the authorities concerned shall proceed with the departmental enquiry against the said Block Development Officer expeditiously and bring the same to its logical conclusion in accordance with law. We also direct that the investigation, into the said Atri P.S. Case No.151 of 2015, shall be concluded expeditiously.

6. This application stands closed with the observations aforesaid.

7. The personal appearance of Mr. Pradip Kumar, Secretary, Department of Rural Development, Government of Bihar, and Mr. Sanjeev Kumar, the Deputy Development Commissioner, Gaya, stands dispensed with.

(I. A. Ansari, ACJ.)

(Chakradhari Sharan Singh, J.)

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