

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16048 of 2015

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Nabita Sharma, Wife of Late Ranjit Sharma, resident of Village- Bihta,
Police Station- Hatiyana, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner cum Secretary, Gramin Development Department, Government of Bihar, Old Secretariat, Patna.
2. The Deputy Development Commissioner, Gramin Development Department, Sheikhpura.
3. Sri Prem Shankar Srivastava, Joint Director, Udyog, New Secretariat, Patna.
4. The District Magistrate, (D.M.), District- Sheikhpura.
5. The Sub-Divisional officer (S.D.O.), Sheikhpura, District- Sheikhpura.
6. The Block Development Officer (B.D.O.), under Block- Sheikhpura, District- Sheikhpura.
7. The Block Development Officer (B.D.O.), under Block- Ariari, District- Sheikhpura.
8. The Block Development Officer (B.D.O.), under Block- Shekhopur Sarai, District- Sheikhpura.
9. The Block Development Officer (B.D.O.), under Block- Ghat Krishamba, District- Sheikhpura.
10. The Secretary, Department of Rural Development, Government of Bihar, Patna.
11. The Government of India, Ministry of Rural Development, Krishi Bhawan, New Delhi.
12. The Upper Secretary, Gramin Development Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar

For the Respondent/s : Ms. Nutan Sahay, AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-10-2015

Heard the parties.

The petitioner is running a Non-Governmental Organization (hereinafter referred to as 'the NGO') registered under the Societies Registration Act, 1860 in the name of Janpriya Vikas Foundation, Sheikhpura. It is the contention of the petitioner that under the orders of the Block Development Officer and the Deputy Development Commissioner, Sheikhpura



that certain works were carried out by 'the NGO' in four Blocks within the district of Sheikhpura, namely, Ariyari, Shekhopur Sarai, Sheikhpura and Ghatkusumma and bills were raised which are also noted in the communication of the Deputy Development Commissioner, Sheikhpura addressed to the Commissioner, Self Employment, Rural Development Department, Government of Bihar, Patna but the payments have not been made. He submits that despite several representations made before the authorities concerned, it has borne no result.

Learned counsel appearing for the State with reference to the same very letter of the Deputy Development Commissioner, Sheikhpura dated 25.11.2013 present at Annexure-4 submits that the work so assigned to 'the NGO' was only until 31.12.2011 and in absence of any further direction 'the NGO' has carried out work even thereafter from 1.1.2012 to 31.3.2012 and for which the payments are claimed. She submits that the petitioner having worked on her own without any order of the authorities, no payment can be made as claimed by her.

I have heard learned counsel for the parties and I have perused the records.

Although a number of representations are enclosed in the writ petition but the letter of the Deputy Development Commissioner, Sheikhpura addressed to the Commissioner, Self Employment, Rural Development Department, Government of

Bihar, Patna shows that although the authorization to 'the NGO' was only until 31.12.2011 but 'the NGO' has also carried out 7 days Training Programme in between 1.1.2012 to 31.3.2012 and raised the bills. It is in these circumstances that the Deputy Development Commissioner, Sheikhpura has sought guidelines from the Commissioner, Self Employment, Rural Development Department, Government of Bihar, Patna.

Having heard learned counsel for the parties and considering that the grievance so raised by the petitioner is pending consideration before the Commissioner, Self Employment, Rural Development Department as reflected from the letter of the Deputy Development Commissioner, Sheikhpura present at Annexure-4, the writ petition is disposed of with a liberty to the petitioner to raise her claim with supportive documents before the Commissioner –cum- Secretary, Rural Development Department, Government of Bihar, Patna who shall consider the claim of the petitioner and dispose of the same by a speaking order preferably within a period of three months from the date of receipt/production of a copy of this order.

(Jyoti Saran, J)

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