

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17103 of 2013

Rajeev Kumar Singh Son Of Sri Ran Das Singh Resident Of Village+P.O.-
Bishanpur Jichcho, Block- Goradih, P.S.- Lodipur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Bhagalpur, District- Bhagalpur
3. The District Programm Officer, Bhagalpur, District- Bhagalpur
4. The Child Development Programm Officer, Goradih, P.S.- Lodipur, District- Bhagalpur
5. Nirupa Singh Husband Named Not Known The Than Child Development Programm Officer, Goradih, At Present Posted At I.C.D.S., Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. DHANANJAY KUMAR GUPTA

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT

Date: 27-04-2016

Heard Mr. Mishra for the petitioner.

No one has appeared on behalf of the State.

The petitioner raises a cause of public nature with respect to the illegality/irregularities committed in distribution of Take Home Ration (TRH) at a particular Centre. When no heed was paid to his representation, he approached this Court in CWJC No. 22791 of 2011. A division bench of this Court, by order dated 0302.2012, disposed of the application permitting the petitioner to approach the respondent District Magistrate by making a representation who was commanded to consider the case of the petitioner. In the light of the said order, the petitioner approached the respondent District Magistrate who, after getting the matter enquired into by the District Supply Officer, the report whereof is Annexure-4, passed an order on 19.06.2013 (Annexure-15) whereby the Sevika of the Centre namely Nisha Kumari was directed to be disengaged/terminated.

Unrelenting petitioner has now filed the present writ application that although in the report of the District Supply Officer adverse remarks were also made against the then CDPO but no action against that authority has been taken.

On going through the order passed by the District Magistrate, it appears that the CDPO had observed in different notes about the illegality committed by the Sevika of the Centre. Considering that aspect of the matter, the District Magistrate considered the irregularity only on the part of the Sevika and thereby passed the impugned order. I am unable to appreciate the contention of Mr. Mishra that the District Magistrate ought to have taken action against the then CDPO as well. There is no patent illegality in the order.

Counsel for the petitioner states that an opportunity be granted to him to make a representation in the matter before the appropriate authority.

While declining the prayer, the Court grants the said liberty.

The application stands disposed of.

(Kishore Kumar Mandal, J)

HR/-

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