

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3791 of 2014

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Indu Devi Wife of Lal Babu Yadav Resident of Village - Bhawanipur, P.S. Singhwara, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Darbhanga
3. The Block Development Officer, Singhwara
4. The Branch Manager, Oriental Bank of Commerce Darbhanga
5. The Then Panchayat Secretary, Arvind Prasad, Gram Panchayat Raj Bhawanpur, Darbhanga Presently Posted as Revenue Clerk Hayaghat Block Darbhanga
6. The Then Mukhiya Mrs. Kausher Praveen Wife of Md. Wasiulla R/o Bhapura, P.S. Singhwara, District - Darbhanga
7. Md. Tanweer Alam Son of Late Zamanulla R/o Bhapura, P.S. Singhwara, District - Darbhanga
8. Smt. Sunita Devi Wife of Lai Babu Yadav Resident of Village - Bhawanipur, P.S. Singhwara, District - Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. Anjani Kumar, AAG-6

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 27-09-2016

Heard.

In the year 2010-11, the petitioner claims to have been selected for providing assistance for construction of home under Indira Awas Yojna. The amount was sanctioned however, not paid to her. It was paid to respondent no. 8. The petitioner raises a grievance that it was a plausible act of the respondent and FIR ought to have been lodged. The petitioner having been selected should be given the assistance under the said Yojna.



A counter affidavit is filed by the respondents-State where it has been stated that an inquiry was made and the payment received by respondent no. 8 under the said Yojna has been directed to be refunded. The claim of the petitioner for grant of amount under the Yojna was again considered after giving her notice and it was found she did not belong to B.P.L. category and as such she does not qualify for the payment of the assistance amount under the said Yojna.

The matter like this cannot be examined in writ jurisdiction of the Court.

The counsel for the petitioner after making submissions at some length states that the petitioner shall ventilate her grievance before the respondent-District-Collector-cum-District Magistrate.

The writ application is disposed of permitting the petitioner to ventilate her grievance before the respondent-District Magistrate. If any such application is filed, the same shall receive due consideration and disposal at the hand of the concerned respondents in accordance with law.

Before deciding the claim of the petitioner, if deemed necessary, the respondent-District Magistrate shall also give an opportunity to the respondent no. 8 to place her case for

consideration.

rohit/-

(Kishore Kumar Mandal, J)

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