

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9865 of 2010

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Ram Dayal Singh S/O Jagdeo Singh R/O Cooperative Bazar, P.S.- Srinagar,
Distt.- Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Purnea
3. The Sub-Divisional Officer, Purnea
4. Anchal Adhikari, Srinagar, Purnea
5. Anchal Adhikari, K.Nagar, Purnea
6. Lakshmi Baitha S/O Late Jibachh Baitha R/O Vill.- Srinagar, P.S.-
Srinagar, Distt.- Purnea
7. Chhotan Das S/O Late Lutan Das R/O Vill.- Srinagar, P.S.- Srinagar,
Distt.- Purnea
8. Bibhuti Nath Jha S/O Amritanand Jha R/O Vill.- Srinagar, P.S.- Srinagar,
Distt.- Purnea
9. Sanjay Mahto S/O Jageshwar Mahto R/O Vill.- Srinagar, P.S.- Srinagar,
Distt.- Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai, Advocate

For the Respondent Nos. 1 to 5 : Mr. Sheo Shankar Prasad, SC 8

Mr. Praveen Kr. Singh, AC to SC 8

For the Respondent Nos. 6 to 9: Mr. Amit Kumar Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 02-08-2016

Heard the parties.

From the materials available on the record it appears that the petitioner has been asked to show cause by notice dated 05.07.2004 (Annexure-3) as to why an FIR be not lodged against him for committing forgery in the revenue records of the State Government. It does not appear from the materials placed on the record that till date the petitioner has filed his show cause before the Circle Officer, Srinagar, Purnea. It further appears that he had filed a petition on 26.06.2004 (Annexure-7) for grant of some more time for producing the documents as also Basgit parcha allegedly issued in his favour. Despite the aforesaid petition filed by the petitioner, he has not furnished the relevant documents in

support of his claim of issuance of Basgit parcha.

In the counter affidavit filed on behalf of the respondent no.2 it has not been stated that any final decision has been taken by the Circle Officer for lodging the FIR against the petitioner. It has also not been stated that any other appropriate order with respect to alleged forgery committed by the petitioner has been passed. Neither party is in a position to state as to whether final decision has been taken in this matter either by the Circle Officer concerned or by any higher authority.

In the above factual background, the present writ petition seems to be pre-mature at this stage and is, accordingly, dismissed. However, the petitioner is directed to file a fresh show cause before the Anchal Adhikari, Srinagar, Purnea within a period of four weeks from today, whereafter the respondent Circle Officer shall take final decision in the matter in accordance with law, but before passing any final order, an opportunity of hearing must be given to all concerned including the petitioner besides others, if any.

(Birendra Prasad Verma, J)

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