

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5238 of 2016

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Dr. Shiva Nand Bhagat sn of late Ganga Prasad Bhagat, resident of
Village- Pachakothiya, PO Shahkund, PS Shahkund, District Bhagalpur.
..... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Animal
Husbandry Department, Bihar, Patna.
2. The Director Provident Fund Pant Bhawan, Patna.
3. The District Provident fund Officer, Bhagalpur.
4. The Block Development Officer Amarpur (Banka).
5. The State of Jharkhand through the Principal Secretary
Department of Animal Husbandry, Ranchi.
6. The Director Provident Fund Officer, Ranchi, Jharkhand.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Vinay Pd. Singh @ Sanjay, Advocate

For the Respondent Nos. 1 to 4 : Mr. Ramadhar Singh GP 25

For the Respondent Nos. 5 & 6 : Mr. Dhruva Mukherjee, AAG, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 15-09-2016

Heard the parties.

2. In view of nature of grievances/claims raised on behalf of the petitioner, which have been enumerated in paragraph 1 of the writ petition, this Court is of the opinion that in stead of asking the learned senior counsel appearing on behalf of the respondent nos. 5 and 6 to file a counter affidavit in the present case, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before the Principal Secretary, Department of Animal Husbandry, Government of Jharkhand, Ranchi (respondent no.5) with all supporting documents raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

3. If such a comprehensive representation is filed on behalf of the petitioner with all supporting documents as also with a certified copy of the present order, then the respondent Principal

Secretary, Department of Animal Husbandry, Government of Jharkhand, Ranchi, either himself or any other competent authority of the State of Jharkhand shall be obliged to consider and decide the claims of the petitioner strictly in accordance with law, by a reasoned and speaking order, after giving an opportunity of hearing to him, besides others, if any, at an early date preferably within a period of four months from the date of filing of such comprehensive representation by the petitioner, in the manner indicated above..

4. If on consideration of the materials, the competent authority of the State of Jharkhand comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then consequential orders shall also be issued for grant of such admissible claims and consequential steps shall be taken by the concerned respondents including the respondent no.3 for redressal of his valid grievances, without any unnecessary further delay.

5. It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and this is left to be decided by the competent authority of the State of Jharkhand strictly in accordance with law.

6. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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