

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14459 of 2016

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Binda Devi, W/o Late Satya Narayan Sah, R/o Railway Quarter No. 826/B, Lanka Colony, Danapur, P.S.- Khagaul, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate/Collector, Patna/Director, Department of Social Welfare, Government of Bihar, Patna.
2. The District Magistrate/Collector, Patna.
3. Senior Superintendent of Police (S.S.P.), Patna.
4. Sub-Divisional Magistrate (S.D.M.), Danapur, Patna.
5. Sub-Divisional Police Officer (S.D.P.O.), Danapur, Patna.
6. Station House Officer (S.H.O.) Khagaul Police Station, Danapur, Patna.
7. Divisional Railway Manager (D.R.M.), Danapur.
8. Gajendra Kumar Sah S/o Satya Narayan Sah R/o Railway Quarter No. 826/B, Lanka Colony, Danapur, P.S.- Khagaul, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
For the State	:	Mr. Md. Raisul Haque, S.C.10
For the Railways	:	Mr. Amresh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-12-2016

Heard learned counsel for the parties.

Pursuant to order dated 22.11.2016, three counter affidavits have been filed on behalf of the State authorities, including that on behalf of the Principal Secretary, Social Welfare Department, Government of Bihar. In the said counter affidavit, it has been stated that the State Government has constituted the Maintenance Tribunals, both at the District level as also the Sub-Divisional level of each District, by Gazette notification contained in Memo Nos. 2302 dated 09.11.2011 and 722 dated 03.04.2013, as per the provisions of The



Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the 'Act').

With regard to the present case, in the counter affidavit of the respondent no. 4, it has been stated that pursuant to the petitioner filing a complaint in the performa prescribed, notice has been issued to the respondent no. 8 and today is the first date fixed. It has further been stated that the proceeding would be taken to its logical conclusion within the stipulated time as provided under Section 5(4) of the Act and the Bihar Maintenance and Welfare of Parents and Senior Citizens Rules, 2012 (hereinafter referred to as the 'Rules').

In view of the aforesaid, the writ petition stands disposed off with a direction to the respondent no. 4, to ensure that the proceeding is positively taken to its logical conclusion within the stipulated period.

As the matter is of great importance, let the aforesaid Gazette notifications dated 09.11.2011 and 03.04.2013 with regard to the Constitution of the Maintenance Tribunals under the Act, be published in the daily newspapers having wide circulation all over the State and copies of the same be also pasted at Government offices both at the District and Sub Divisional level.

The same be done within one month from today.



Learned counsel for the State shall communicate the order to the Principal Secretary, Social Welfare Department for compliance.

(Ahsanuddin Amanullah, J.)

P. Kumar

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