

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1452 of 2016

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Ram Bhagat Paswan, Son of Sehdeo Paswan, Resident of Village-
Mirzapur, P.O.- Inathpur, Block- Patori, P.S.- Patori, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar, through the D.G.P Patna, Bihar
2. The Inspector General of Police, Bihar
3. The District Magistrate, Samastipur
4. The Superintendent of Police, Samastipur.
5. The Deputy Superintendent of Police, Samastipur.
6. Sub-Divisional Officer, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Alka Verma
Mrs. Deepti Pandey
For the Respondent/s : Mr. M. Nasrul Hoda Khan, SC-18
Md. Haroon Duraishi, AC to SC-18

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-05-2016 Heard the parties.

In view of the nature of grievances/claims raised on behalf of the petitioner in the present writ petition filed under Article 226 of the Constitution of India, this Court is of the opinion that instead of asking the respondents to file their counter-affidavit, the interest of justice shall be sub-served if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent District Magistrate, Samastipur, with all supporting documents raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent District Magistrate, Samastipur either himself or any other competent authority of the respondent State, as per his direction, shall be

obliged to look into the grievances/ claims raised on behalf of the petitioner and shall further be obliged to pass a reasoned and speaking order, after giving an opportunity of hearing to all concerned, including the petitioner, besides others, if any, at an early date preferably within a maximum period of two months from the date of filing of such representation.

If on consideration of the materials and after hearing the parties, the competent authority of the respondent State comes to a conclusion that claims raised on behalf of the petitioner are admissible to him, then consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

This is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and this is left to be decided by the competent authority strictly in accordance with law.

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

(Birendra Prasad Verma, J)

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