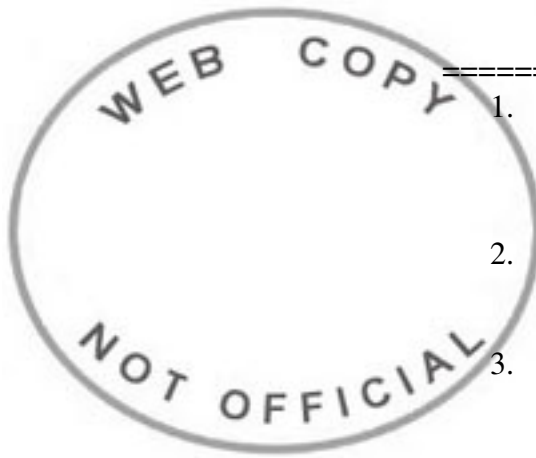


IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3986 of 2014

In

Civil Writ Jurisdiction Case No. 20451 of 2013



- =====
1. Shyam Dutt Sharma, son of late Ramdeo Sharma, resident of Village- Akhini, Police Station, Nuaon, District- Kaimur at Bhabhua at present posted as Panchayat Secretary at Chainpur Block, District - Kaimur at Bhabhua
 2. Salamuddin Ansari, son of Jalaluddin Ansari, resident of village- Amao (Barawan), District- Kaimur at Bhabhua at present posted as Panchayat Secretary at Mohania Block, District- Kaimur at Chand
 3. Umesh Kumar Singh, son of Bikrama Singh, resident of village- Pandey Bamhare, Post Office- Khasbamhare, Police Station- Mohania, District Kaimur at Bhabhua at present posted as Panchayat Secretary at Chainpur Block, District- Kaimur at Bhabhua
 4. Vijay Prasad, son of Ramdas Prasad, resident of Village- Belauri, Post Office- Kuddee Ram, Police Station- Mohania, District- Kaimur at Bhabhua at present posted as Panchayat Secretary as Chainpur Block, District- Kaimur at Bhabhua
 5. Madan Mohal Pal, son of Haridwar Pal, resident of Village- Ishri, Post Office and Police Station- Durgawati, District- Kaimur at Bhabhua at present posted as Panchayat Secretary as Bhabhua Block, District- Kaimur at Bhabhua

.... Petitioners

Versus

1. The State of Bihar
2. Sri Prabhakar Jha, the District Magistrate Kaimur at Bhabhua
3. Dr. Fateh Feyaz, the District Panchayat Officer, Kaimur at Bhabhua
4. Sri Alok Kumar, the District Accounts Officer Kaimur at Bhabhua
5. Sri Satendra Prasad, the Block Development Officer Chainpur, District- Kaimur at Bhabhua
6. Smt. Himani Priya, the Block Development Officer Chand, District- Kaimur at Bhabhua
7. Matend Kumar Singh, the Block Development Officer Bhagwanpur, District-Kaimur at Bhabhua

.... Contemnor/ Opposite Parties

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Appearance :

For the Petitioners : Mr. Jitendra Kumar Roy,
Rajesh Kumar,
Nikki Singh, Advocates

For the State : Mr. Purnendu Singh, G.P. 27,
Mr. Mandan Mohan, A.C. to G.P. 27

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

7 18-05-2016

I.A. No.4446 of 2016:

This interlocutory application has been filed for exemption of the personal appearance of the District Magistrate, Kaimur at Bhabhua on 18.05.2016 as 18.05.2016 is the date of election of different Panchayats of Chainpur block.

In my view, he has been able to set out sufficient reason for his omission.

It appears that a fresh order has been passed by the District Magistrate on 05.05.2016, a copy of which has been appended as Annexure C considering the memo no.6068 dated 13.06.2013 and also the earlier orders passed by the in-charge District Magistrate, however, petitioners' claim has been rejected.

In my view, there is sufficient compliance of the order passed by this Court and, as such, this proceeding cannot continue and is, thus, dropped.

However, the petitioners, if so advised, would be at liberty to assail the order passed by the District Magistrate before a competent forum available to them under law.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

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