

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15728 of 2013

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Dilip Singh Son Of Sri Nandu Singh, resident Of Dharhara Khurd, P.S. Amnour, District - Saran at present Mukhiya of Gram Panchayat Dharhara Khurd

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary Government of Bihar, Patna
2. The Collector, Saran Chapra
3. The Deputy Development Commissioner, Saran
4. The Block Programme Officer, Amnour, District - Saran
5. The Special Work Officer, Saran. P.S. Saran Town, District-Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Mishra

For the Respondent/s : Mr. Prashant Pratap

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 13-05-2016 Heard.

2. The petitioner is a Mukhiya of Gram Panchayat, Dharhara Khurd. The funds were allocated under the plantation programme to the Mukhiya and other Authorities under Yojna no. 1/2011-12, 2/2011-12 and 3/2011-12 for plantation in the campus of the school. On enquiry, it was found that more than 85% of the plants were not existing. The petitioner was served with notice. It appears that on the representation another opportunity was granted to the petitioner and others to get the plantation works completed/done. The representation after such opportunity appears to have been filed by the petitioner on which the respondent(s) made further verification and passed the order.

3. The counsel for the State draws attention of the Court to the

communication dated 4th March, 2013 (internal page 13 of the counter affidavit), wherefrom, it appears that further verification of the completion of the work under three plantation projects was made and it was found that the same was not completed as required of the agency i.e. Authority.

4. Having given opportunity to the petitioner and others who were responsible for such plantations and were allowed the funds, the District Magistrate passed the order dated 8th July, 2013 (Annexure-2), imposing recovery of loss amount in proportionate value from the petitioner-Mukhiya, Panchayat Rojgar Sevak, Technical Assistance, Junior Engineer and Block Programme Officer as is evident from the said communication.

5. In my view, no relief, on the basis of pleadings made in the writ petition can be given except permitting the petitioner to represent before the District Magistrate afresh and convince about the completion of the plantation work and the relevant circumstances under which the plantation work could not be completed 100%. I am sure, if the petitioner does so, the respondent-District Magistrate shall consider his representation and take appropriate decisions in accordance with law.

The writ application stands disposed of.

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(Kishore Kumar Mandal, J)