

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.202 of 2016
IN
Civil Writ Jurisdiction Case No. 15499 of 2014**

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1. Lal Babu Kunwar son of Late Baldeo Kunwar Resident of Village Bairiya, P.S.
Piprahi, District Sheohar.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Bihar, Patna.
2. The Director, Panchayati Raj Department, Bihar, Patna.
3. The Zila Parishad Sitamarhi through its Chairman.
4. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Sitamarhi.
5. The District Engineer, Zila Parishad, Sitamarhi.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arjun Kumar

For the Respondent/s : Mr. KINKAR KUMAR- SC27

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 14-07-2017

In the matter of release of fund to the Zila Parishad, Sitamarhi, challenging an order passed by the learned Writ Court dated 14.12.2015 passed in C.W.J.C. No.15499 of 2014, this appeal has been filed. The learned Writ Court directed the authorities to issue adequate funds to the Zila Parishad, Sitamarhi based on the sanctions made and the writ petition was disposed of in the



following manner:

“ Payment has already been made to the petitioner till February, 2014. The respondent authorities must do what is required to be done to meet the other clearance and obligations of the petitioner.

Presence of the Deputy Development Commissioner, Zila Parishad, Sitamarhi also stands dispensed with.”

Now from the counter affidavits filed by respondent Nos.3, 4 and 5, we find that adequate funds have been made available and for the period 2011-12 up to 2016-17, funds have been granted various Zila Parishads based on the benefits granted by the State Government and with regard to Zila Parishad, Sitamarhi, details have been indicated in para 4 of the affidavit which goes to show that up to the year 2014-15, the entire funds have been distributed and there is no amount outstanding. In para Nos.5 and 6 the particulars with regard to funds allocated for the aforesaid period 2015-16 and 2016-17 has been indicated and we are satisfied that action is being taken by allocation of funds to the Zila Parishad in question and based on the same payments are being made to the employees.

That being so, it is not necessary for this Court to keep the matter pending and as the counter affidavit filed by the respondents



indicates that from time to time funds are being allocated and released, now no further action is called for. The appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

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