

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16013 of 2014

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1. Amresh Kumar, Son of Ramashish Singh, resident of Village-Sarbadipur, P.S.- Paraiya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Development Department, Government of Bihar, Patna
3. The Deputy Development Commissioner, Gaya
4. The District Magistrate, Gaya
5. The Block Programme Officer, Paraiya, Gaya
6. The Assistant Engineer, Tekari, Gaya
7. The Junior Engineer, Manrega, Paraiya, Gaya
8. The Panchayat Technical Assistant, Solra, Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Respondent/s : Mr. Satyadeo Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 14-11-2017 Heard Mr. Rama Kant Sharma, the learned senior counsel appearing on behalf of the petitioner and Mr. Sanjay Singh, learned A.C. to S.C.15 for the State.

The petitioner has filed this writ petition for quashing the order dated 19.08.2014 as contained in Memo No.2048 passed by Deputy Development Commissioner, Gaya by which the petitioner was directed to deposit Rs.8,06,866/- out of the total amount Rs.38,08,106/- which is alleged to have been misappropriated by the petitioner and others.

Mr. Rama Kant Sharma, learned senior counsel for the



petitioner submits that petitioner was not heard by Ombudsman who may inquire with regard to the irregularity committed in execution of different schemes of Government under MANREGA.

It appears that Ombudsman after inquiry submitted report to the competent authority and in pursuance thereof the Deputy Development Commissioner took action against the then Panchayat Rojgar Sewak of Solra and others under the rules.

There is a provision for appeal against the inquiry report of Ombudsman. Therefore, this writ petition is disposed of with a direction to the petitioner to present the appeal against the inquiry of Ombudsman before the competent authority who shall pass the order after hearing the petitioner. Till the disposal of the appeal, the authority shall not take coercive steps for realisation of the amount from the petitioner.

Accordingly, this writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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