

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.475 of 2017
IN
Civil Writ Jurisdiction Case No. 12424 of 2014**

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Sushil Kumar Singh, S/o Late Ayodhi Prasad, Resident of Village + Post Office
Sadhua, P.S. Rangra Chowk, District Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home Affairs, Government of Bihar, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Special Secretary, Home (Special) Department, Government of Bihar, Patna.
4. The Director General of Police, Government of Bihar, Old Secretariat Building, Patna.
5. The Deputy Inspector General of Police, (Human Rights), Government of Bihar, Old Secretariat Building, Patna.
6. The Superintendent of Police, Samastipur.
7. The Railways Superintendent of Police, Jamalpur.

.... Respondent/s

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Appearance :

For the Appellant : Mr. Ambuj Nayan Chaubey, Advocate

For the State : Mr. Saroj Kumar Sharma, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 17-05-2017

In the matter of implementing the recommendation made
by the National Human Rights Commission and recovering the
compensation paid to the victim from the petitioner, the learned Writ
Court finding that before recovery of the amount of Rs.1,50,000/-
from the petitioner, the State Government has not heard the petitioner,
relegated the matter back to the State Government for reconsideration



and in our considered view the learned Writ Court has not committed any error in doing so.

Contention of the petitioner that the National Human Rights Commission should have heard him and thereafter action should have taken is without any substance as the National Human Rights Commission has imposed the liability on the State Government and the State Government under law is entitled to recover the loss caused to the State from the petitioner.

That being so, merely because National Human Rights Commission did not hear the petitioner before imposing the liability on the State Government, we see no reason to make any indulgence into the matter. The appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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