

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1817 of 2015

In

Civil Writ Jurisdiction Case No.2080 of 2013

Arti Devi w/o Shankar Ram, Resident of village Punibagh, PO- Bettiah, PS- Bettiah Town District- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. The Human Right Commission through its Secretary, Bihar, Patna
3. The Superintendent of Police, West Champaran, Bettiah
4. The Sub divisional Officer. Bettiah District West Champaran
5. The Land Reforms Deputy Collector, Bettiah District West Champaran
6. Sandhya Rani wife of Late Bimal Haldhar, Resident of Mohalla Belbagh, Bengali Colony, Ward no.38, Bettiah, West Champaran.
7. Neelam Devi wife of Ramsagar Rao, Resident of village- Fuliga, P.S- Nautan, District- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijoy Nandan Sahay
Advocate
Mr. Arun Srivastava
Advocate
For the Respondent/s : Mr. Mritunjay Kumar
AC to A.A.G. -6

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 05-09-2017 Heard learned counsel for the appellant and counsel for the State.

The impugned order, dated 25.08.2015, passed by the Learned Single Judge, reiterating direction, dated 22.06.2015, making it obligatory upon the appellant to file a certified copy of the order under challenge in the writ application, seems to be misplaced, keeping in mind that the State Human Rights



Commission does not supply certified copy. Therefore, a citizen or a litigant cannot be compelled to obtain a certified copy, which is not issued by an authority, whose order is under challenge.

In view of the above, appeal is allowed.

The impugned order, dated 25.08.2015 is quashed.

Writ Application shall proceed without the requirement of filing of a certified copy in the writ application.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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