

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1290 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 5061 of 2017

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Raj Kumar, son of Late Banshi Prasad, resident of Mohalla Bahari Begumpur,
Beldari Tola, Bakhtariya Tola, P.S. Begumpur, P.S. Bye Pass, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Shri Chaitan Prasad Principal Secretary, Urban Development, Government of Bihar, Patna.
2. Yogendra Singh, son of not known to the petitioner, presently Sub-Divisional Officer, Patna City, District-Patna.
3. Ms. Abha Kumari, Co-operative Extension Officer, Patna City.
4. Ms. Sharbani Dhar, Sub-Divisional Welfare Officer, Patna City.
5. Mr. Umesh Kumar Singh, Executive Magistrate, Patna City.
6. Ms. Lilit Bhushan Ranjan, D.C.L.R., Patna City.
7. Ms. Rakhi Kumari Keshari, Public Demand Redressal Officer, Patna City.

.... Contemnor/Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the opposite parties no. 3 and 4 : Mr. Jai Prakash Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 21-06-2017

Heard learned counsel for the parties.

2. Pursuant to order dated 12.05.2017, Ms. Rakhi Kumari Keshari, S.P.G.R.O, Patna City; Mr. Lalit Bhushan Ranjan, Deputy Collector Land Reforms, Patna City, Mr. Umesh Kumar Singh, Executive Magistrate, Patna City; Ms. Sharbani Dhar, Sub-Divisional Welfare Officer, Patna City and Ms. Abha Kumari, Co-operative Extension Officer, Patna City are present.

3. From the previous orders as well as from the materials on record and most importantly the exercise conducted by



the District Magistrate, Patna, the matter stands concluded and admitted to the extent that there have been lapses on the part of the officers present in Court while deciding the objection filed by the petitioner relating to their being hundreds of persons, who though being voters of Ward No. 68 had been shown as voters of Ward No. 62 for the election to Patna Municipal Corporation in the year 2017.

4. On the earlier remand, the officers present today were the persons who had given a report after ostensibly looking into the objections but not finding any discrepancy. However, subsequently in the present proceeding, when the Court asked the District Magistrate, Patna to personally look into the matter, it was found that the objection was well founded and that 456 persons were wrongly shown to be the voters of Ward No. 62, though they should have been in Ward No. 68.

5. Today, show cause has also been filed by the said officers individually. At the very outset, learned counsel appearing on their behalf in their presence took a categorical stand that they offer their unconditional and unqualified apology and barring this if there is anything extra in their show cause filed today, the same be treated as withdrawn.

6. Though the Court was of the considered opinion that a beginning has to be made in fixing responsibility and



accountability, especially on persons in authority being public servants, but due to the persuasive submissions made by counsels representing them, the Court is accepting their apology without taking any further action in the matter. However, they are cautioned to be careful in future and any misconduct or act which would reflect that they did not discharge their duties sincerely, diligently or in accordance with law, shall be viewed seriously.

7. The application stands disposed off.

8. The personal appearance of the officers stand dispensed with.

(Ahsanuddin Amanullah, J)

P. Kumar

AFR/NAFR	
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