

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1052 of 2017

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Gaffar Ansari, Son of Late Ali Hasan Ansari, Resident of Village- Bithuna,
Post Office- Bithuna, Police Station- Basantpur, Block- Bhagwanpur Hat,
District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Patna.
2. The Secretary, Food and Consumer Protection Department, Govt. of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Deputy Development Commissioner, Siwan.
5. The Superintendent of Police, Siwan.
6. The Sub Divisional Officer, Maharajganj, District- Siwan.
7. The Block Programme Officer, Bhagwanpur Hat, District- Siwan.
8. The Block Development Officer, Bhagwanpur Hat Block, District- Siwan.
9. The Station House Officer, Basantpur Police Station, District- Siwan.
10. The Mukhiya, Gram Panchayat Raj Bithuna, Block- Bhagwanpur Hat, District- Siwan.
11. The Panchayat Secretary, Gram Panchayat Raj Bithuna, Block Bhagwanpur Hat, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra
For the Respondent/s : Mr. Sanjay Kr. Giri- Gp9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner has challenged the order dated 12.07.2014
passed by Deputy Development Commissioner, Siwan on the
ground that the same has been passed ex.-parte without hearing
the petitioner and does not deal with the contention of the
petitioner.

Admittedly, the said order dated 12.07.2014 does not



appear to be reasoned and further the same, on the contrary, records that the petitioner was not present, hence the order has been passed rejecting the claim of the petitioner herein.

Having regard to the facts and circumstances of the case, the order dated 12.07.2014 passed by the Deputy Development Commissioner, Siwan is quashed and the matter is remanded back to the Deputy Development Commissioner, Siwan with a direction to the petitioner to appear before the said authority on 10th of December, 2018 at 10.30 A.M. whereafter the Deputy Development Commissioner, Siwan shall hear the petitioner and pass the final order.

It is made clear that in case the petitioner does not appear before the said Authority on the aforesaid date and time, the case of the petitioner would be closed and no further writ petition would be maintainable before this Court with regard to the subject matter of the present writ petition.

(Mohit Kumar Shah, J)

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