

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4095 of 2016

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Chandeshwar Prasad Gupta, Son of Late Kesho Sao, Resident of Hisua, Teli
Tola, Brahmsthan Gali, Ward No. 12, P.O. + P.S. - Hisua, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Magadh Division, Gaya.
2. The Commissioner, Magadh Division, Gaya.
3. The District Magistrate - cum - Collector, Nawada.
4. The Sub- Divisional Magistrate, Nawada.
5. The Circle Officer, Hisua, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Respondent/s : Mr. Anand Prasad Singh- SC 15

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 31-10-2018

Heard Mr. Krishna Kant Singh, learned counsel for the
petitioner and Mr. Anand Prasad Singh, learned SC 15 for the
respondent-State.

The present writ application has been filed for a
direction to Respondent Nos.3 and 4, the District Magistrate,
Nawada and Sub-Divisional Magistrate, Nawada for supplying the
certified copy of the Information Petition No.1036 of 2004, filed
before Respondent No.4, the Sub-Divisional Magistrate, Nawada
sometime in the year 2008.



It is submitted by learned counsel for the petitioner that in Complaint Case No. 189 of 2005, filed by the petitioner, vide order dated 01.10.2012, learned Judicial Magistrate, 1st Class, Nawada directed Respondent No.4, the Sub-Divisional Magistrate, Nawada for transmission of original Informatory Petition No. 1036 of 2004. Consequently, letter was issued to Respondent No.4, the Sub-Divisional Magistrate, Nawada on 12.12.2012, as contained in Annexure-1, but it was not supplied. Subsequently, the petitioner submitted a reminder also. However, Respondent No.4, the Sub-Divisional Magistrate, Nawada, vide Memo No. 563, dated 21.07.2014 directed the In-charge Officer of the District Record, Nawada to send the certified copy of the Informatory Petition No. 1036 of 2004, but till date, the same has not been transmitted. Hence, the present writ application.

Learned SC 15 submits that learned Sub-Divisional Magistrate, Nawada will comply the order of the learned Judicial Magistrate, 1st Class, Nawada dated 01.10.2012, if it has already not been complied with, within a period of three weeks.

Considering the fair stand of the learned SC 15, it is expected from Respondent No.4, the Sub-Divisional Magistrate, Nawada to transmit the certified copy of the Informatory Petition No. 1036 of 2004 to the Court of learned Judicial Magistrate, 1st



Class, Nawada within a period of three weeks from the date of receipt/production of a copy of this order.

Accordingly, with the above observations/directions, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	17.11.2018
Transmission Date	

