

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.174 of 2018

In

Civil Writ Jurisdiction Case No.5687 of 2014

Subhash Kumar Ram, Son of Sri Shankar Ram, Resident of Village & P.O.-
Barnav, P.S.-Ayar, District-Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Bihar, Patna.
4. The Commissioner, Munger Commissioner, Munger,
5. The District Magistrate, Begusarai.
6. The Additional District Magistrate, Begusarai.
7. The Additional Collector, Department of Enquiry Office, Begusarai.
8. The Director General-cum-Inspector General of Police, Bihar, Patna.
9. The Inspector General of Police, Crime Investigation Department, Bihar, Patna.
10. The Chairman, State Scheduled Caste Commission, Bihar, Patna.
11. The Deputy Secretary, State Scheduled Caste Commission, Bihar, Patna.
12. Mr. Akhileshwar Jha, Deputy Collector (Establishment), Begusarai Collectorate, Begusarai.
13. Mr. Gulab Chand, the Land Acquisition Officer, Begusarai Collectorate, Begusarai.
14. Umesh Yadav, Son of Not Known, Clerk, District Land Acquisition Office, Begusarai Collectorate, Begusarai.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Mishra, Advocate
Mr. Ramesh Kumar Thakur, Advocate
For the Respondent/s : Mr. Sanjay Kuamr 'Ghosarvey', AC to AAG-3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-12-2018

I.A. No.913 of 2018

Heard Sri Ramesh Kumar Thakur, holding brief of Sri
Pramod Mishra. An adjournment has been sought by the learned
counsel.



This limitation petition has been filed praying for condoning the delay of 122 days.

Having found sufficient cause, we condone the delay, allow the application and treat the appeal to be within time.

L.P.A. No.174 of 2018

We have heard learned counsel for the appellant and Sri Sanjay Kumar Ghosarvey, learned Assisting Counsel to AAG-3 for the State. An adjournment has been sought by the learned counsel for the appellant. We are not inclined to grant any such adjournment, keeping in view the nature of the appeal and the prayer made therein inasmuch as the appellant had filed a writ petition for a mandamus directing the District Magistrate and the I.G., Police (CID) to submit reports before the Scheduled Caste Commission, pursuant to the direction issued by the Commission and also to conduct an enquiry against the respondent nos.12 to 14.

Learned Single Judge has found that the appellant had already resigned from service and made a complaint before the District Magistrate against the District Land Acquisition Officer, Begusarai whereupon the District Magistrate, Begusarai conducted an enquiry and did not find any substance in the same. That dispute being over, the appellant appears to have approached the Scheduled Caste Commission.



If the reports are not being submitted by the concerned officials, the Scheduled Caste Commission has sufficient powers to take appropriate action in the matter. Therefore, we are satisfied that the learned Single Judge was justified in not entertaining the writ petition. Without prejudice to the rights of the appellant to approach the Scheduled Caste Commission for redressal of his grievances, the appeal is disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Nasimul/-
K.C.Jha

AFR/NAFR	NAFR
CAV DATE	N/A
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