

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20726 of 2018

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Ajit Kumar Gupta, S/o Sri Rajendra Prasad Gupta, resident of Village P.O.
P.S.- Guthani, District Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Siwan.
2. The District Magistrate, Siwan.
3. The Deputy Development Commissioner, Siwan.
4. The District Programme Officer, Mid- Day Meal Project Yojna, Siwan.
5. The District Programme Manager-cum- District Coordinator Mid- Day-
Meal Yojna, Siwan.
6. Vikash Kumar Singh S/o Sri Bhola Nath Singh, resident of Village Titra, P.S.
Guthani, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
For the Respondent/s : Mr.Ranjan Kumar, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2019 After hearing learned counsel for the petitioner and

learned counsel representing the State, this Court finds that the
petitioner has been able to make out a prima-facie case for
consideration. Annexure-4 is the document whereunder the
comparative eligibility of the petitioner and the private
respondent no.6 have been taken note of. The columns showing
the number of vehicles registered in the name of the applicants
would show that while the petitioner has got 4 nos. of vehicle in
his name, the private respondent no.6 has got 5 nos. of vehicle.
If it would have been so simple a case, the petitioner had no



case, but then what has been shown to this Court on behalf of the petitioner is that in the various columns showing the defects in the vehicle, in front of the name of the private respondent it is stated that the fitness certificate was not signed, there was also no pollution and fitness certificate and the insurance paper seems to be forged. In one of the columns, it is shown that one of the vehicles does not have the permit. At least four vehicle numbers are mentioned in front of the name of the private respondent no.6 which have got certain defects whereas in front of the name of the petitioner none of the vehicles have been found with any defect. It is not known whether the vehicle registered in the name of the respondent no. 6 is one of those vehicles with respect to which certain defects have been found. This aspect of the matter would require a consideration by the District Magistrate, Siwan.

Learned counsel for the petitioner submits that instead of keeping the writ application pending before this Court, it may be disposed off with a direction to the District Magistrate, Siwan to consider the grievance of the petitioner, as contained in Annexure-7 to the writ application, within a time frame and an appropriate decision thereon may be taken.

Learned counsel for the State has no objection to the



prayer of the petitioner to that extent.

In the aforesaid view of the matter, this writ application is being disposed off with a direction to the District Magistrate, Siwan to look into and consider the grievance of the petitioner, as contained in Annexure-7 to the writ application, examine the same, hear all the parties and pass an appropriate order thereon within a period of ninety days from the date of receipt/production of a copy of this order.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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