

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2979 of 2019**

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Nityanand Paswan, Son of Late Ajit Paswan, Resident of Village-  
Ekrai/Ekray, P.S.- Ariari, District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Patna
2. The District Magistrate cum Collector, Sheikhpura, District- Sheikhpura
3. The Deputy Development Commissioner, Sheikhpura
4. The Sub Divisional Officer, Sheikhpura, P.S. and District Sheikhpura
5. The Block Development Officer, Ariari, P.S.- Ariari, District- Sheikhpura

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Devendra Prasad Singh  
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      19-06-2019                      It appears that the petitioner is aggrieved by the notice dated 01.01.2019 issued by the Block Development Officer, Ariari as contained in Annexure-1 to the writ application. It is the case of the petitioner the notice has been issued against a dead person who is father of the petitioner.

From the writ application it does not appear that after receipt of the notice the petitioner has submitted any response to the Block Development Officer, Ariari. In the opinion of this Court, instead of challenging the notice before this Court under Article 226 of the Constitution of India, the petitioner should have made his position clear to the Block Development Officer



by filing an appropriate response. The writ application seems to have been filed pre-mature.

Learned counsel for the State is present and submits that whatever grievance the petitioner has, he may plead his submissions before the Block Development Officer, Ariari for consideration.

In the given facts and circumstances of the case, this writ application is being disposed off with a liberty to the petitioner to file an appropriate response before the Block Development Officer, Ariari within a period of 30 days from today and in case such response is filed by the petitioner, the Block Development Officer, Ariari shall consider the same in accordance with law.

During the pendency of the consideration, no coercive action shall be taken against the petitioner.

**(Rajeev Ranjan Prasad, J)**

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