

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6263 of 2019

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Tarkeshwar Kumar @ Tarkeshwar Kumar Akela, son of Late Harekrishna Ram, resident of Village- Derni Bazar, P.S.- Derni, Distt.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayat Raj Department, Govt. of Bihar, Patna
2. The Deputy Director (Panchayat) Saran Pramandal, Chapra
3. The Collector, Saran at Chapra
4. The Sub-Divisionsal Officer, Sonapur, Chapra
5. The Block Development Officer, Dariapur, Chapra
6. Amarjeet Kumar @ Amarjeet Prasad Das, son of Raghunath Ram, resident of Village- Kakrahat, P.O.- Kakrahat, P.S.- Derni, Distt.- Saran
7. Manisha @ Minta Kumari, wife of Ashok Kumar, resident of Village- Fursatpur, P.S.- Derni, Distt.- Saran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nasim Yahya, Advocate
For the Respondent/s : Mr. Archana Meenakshee (GP-6)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 22-04-2019

The petitioner had preferred a complaint before the Collector, Saran at Chapra regarding the irregularities in the appointment of *Vikash Mitra* in Kakarhat Panchayat in Dariyapur Block in the District of Saran at Chapra, giving special reference to the cases of private respondent No. 6/Amarjeet Kumar @ Amarjeet Prasad Das and private respondent No. 7/Manisha @ Minta Kumari. It was alleged by the petitioner that the aforesaid two persons applied for being appointed as *Vikash Mitra* by changing their actual



dates of birth respectively.

2. It appears that on the basis of the aforesaid complaint, the Sub-Divisional Officer, Sonapur, Chapra (respondent No. 4) got the matter enquired through the agency of the Block Development Officer, Dariapur, Chapra (respondent No. 5).

3. It has been brought to the notice of this Court that the Block Development Officer, Dariapur, Chapra (respondent No. 5), vide his communication dated 30.12.2017 contained in Letter No. 1203, informed the Sub-Divisional Officer, Sonapur, Chapra (respondent No. 4) that private respondent No. 6/Amarjeet @ Amarjeet Prasad Das had applied for being appointed as *Vikash Mitra* with a different alias name and a different date of birth. Nothing has been brought on record with respect to any inquiry having been conducted with respect to the candidature of private respondent No. 7/Manisha @ Minta Kumari, who was placed at serial No. 2 in the merit list after private respondent No. 6.

4. It is, thus prayed by the petitioner that a



direction be issued to the Collector, Saran at Chapra to take such inquiry to its logical conclusion and pass necessary orders in accordance with law which would be in the nature of removal of private respondent No. 6 and cancelling the candidature of private respondent No. 7.

5. In any view of the matter, since the private respondents have not been noticed, no order is being passed with respect to such a prayer made by the petitioner.

6. This Court therefore only directs the Collector, Saran at Chapra (respondent No. 3) to have the matter enquired as early as possible and take such inquiry report to its logical conclusion within a reasonable period of time, preferably within a period of four months from the date of receipt/production of a copy of this order.

7. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27/04/2019

