

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1844 of 2019

In

Civil Writ Jurisdiction Case No.2790 of 2019

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Devendra Kumar Son of Late Bajrangi Sharma Resident of Village and Post Office- Kasma, Police Station- Parasbigha, Block- Ratnifaridpur, District- Jehanabad at present working on the post of Panchayat Secretary at Modanganj Block, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar through Sri S. Sidharth, the Principal Secretary, Department of Finance, Govt. of Bihar, Patna
2. Md. Mahfooz Alam the District Accounts Officer, Jehanabad-cum-District Panchayat officer, Jehanabad
3. Sri Baliram Singh the Block Development Officer, Modanganj, District- Jehanabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Advocate
For the Opposite Party/s : Mr. Rohitabh Das, AC to AAG 10

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 18-09-2019

Mr. Jitendra Kumar Roy, learned advocate for the petitioner files rejoinder to the show cause reply filed by the respondents in Court. Let it be taken on record.

This Court had by order dated 20.02.2019 directed the petitioner to make a fresh representation before the Block Development Officer, Modanganj, Jehanabad detailing his grievances with a direction to the concerned respondent to dispose of such representation within a fixed period of six weeks of the receipt of such representation.



From the show cause reply, it appears that the representation was duly filed by the petitioner before the Block Development Officer, Modanganj, Jehanabad who forwarded such representation along with necessary documents to the District Magistrate, Jehanabad for taking appropriate decision in the matter in accordance with the order passed by this Court.

It has further been stated by the respondents that the District Magistrate, Jehanabad issued notice to the petitioner and all other stake holders/concerned persons and fixed a date of hearing on 09.08.2019 with a liberty to the petitioner and others to produce all documents in support of their claim.

There was no appearance by the petitioner on such date but ultimately on 27.08.2019, another date fixed in the proceeding, the petitioner appeared before the District Magistrate, Jehanabad but without any supporting document in support of his contentions.

A reasoned order is said to have been passed by the District Magistrate, Jehanabad on the representation preferred by the petitioner.

Mr. Jitendra Kumar Roy, learned advocate submits that the order has been passed without referring to the relevant materials and can be faulted with.



The petitioner would be at liberty to challenge the aforesaid order in an appropriate proceeding. There is no justification for the present contempt proceedings to be kept alive since the direction issued by this Court on 20.02.2019 has been fully complied with.

The petition stands disposed of with a liberty to the petitioner to prefer a separate/fresh petition against the aforesaid order passed by the District Magistrate, Jehanabad, if so advised.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.09.2019
Transmission Date	

