

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12806 of 2018

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Krishna Deo Mishra, Son of Sri Madan Mohan Mishra, Resident of Village - Kamta, Police Station - Hilsa, District - Nalanda, at present residing at Hanuman Kutti, Das Lane, East Lohanipur, P.S. - Kadamkuan, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, Social Welfare Directorate of Social Welfare, Government of Bihar, Patna.
4. The Inspector General of Police Weaker Section, Government of Bihar, Patna.
5. Bihar State Legal Service Authority through its Secretary, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Jha, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 10-12-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:-

“i. For a direction to the respondents to take remedial/corrective steps and suitable actions in respect of grave concerns, so pointed out in the social audit report of Non-Government and Government welfare institutions for the protection of the right of voiceless child and others, including physically and



mentally challenged persons. The respondents have failed to take suitable steps on the social audit report dated 15.03.18 addressed to the respondent Principal Secretary wherein it has been reported that almost all the institutions were found to be running in violation of the respective scheme and essence of the Juvenile Justice (Care and Protection of Children) Act.

ii. For monitoring of the entire enquiry into the concern shown in the social audit report under the Juvenile Committee, at High Court level.

Iii. To book the persons/Non-Government Organizations/authorities who are liable for the lapses so pointed in the social audit report and the erring NGOs be identified for suitable action.

iv. To appoint eminent persons from civil societies as visitor to monitor and supervise the child care institutions and other institutions in all the districts of the State and implement the directions of the Hon'ble Apex Court in the case of Sampurna Behura vide judgment and order dated 09.02.18.

v. To ensure that woman is representative in all the Child Welfare Committees at the District level and the State level.”

We find the issue to be subject matter of C.W.J.C. No. 3604 of 2018, titled as “In the matter of letter dated 19.02.2018 of the Secretary General of S.C.I. based on the judgment Vs. The State of Bihar & Ors.



As such, the writ petition stands disposed of accordingly. However, it shall be open for the learned counsel to assist the Court as *amicus curiae* in the said proceedings.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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