

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14187 of 2014

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Bharat Ram son of Late Tahalu Ram, resident of village- Shankar Rohar,
Post- Bithauli, P.S.- Baheri, District- Darbhanga

... .. Petitioner

Versus

1. The State Of Bihar
2. The Commissioner, Darbhanga Division, Darbhanga
3. The District Magistrate, Darbhanga
4. Sub Divisional Officer, Darbhanga
5. The Block Development Officer, Baheri, Distt.- Darbhanga
6. Sanjay Ram son of late Uttam Ram, At and P.O.- Bithauli, P.S.- Baheri,
District- Darbhanga
7. Deputy Development Commissioner, Darbhanga

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Gopal Jha Mr. Rajesh Kumar Verma Mr. Shreepd Jha
For the Respondent/s	:	Mrs. Shally Kumari, AC to SC 24
For respondent No. 6	:	Mr. Shrinath

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-08-2019 Counsel for the petitioner is permitted to implead Deputy
Development Commissioner, Darbhanga as respondent No. 7.

Learned Counsel for the petitioner submits that he has wrongly
been excluded from process of selection as Vikash Mitra. It is submitted
that he made allegation of irregularities in the process before the District
Magistrate Darbhanga. When no action was being taken he also
approached the Commissioner, Darbhanga Division, who has finally
directed the Deputy Development Commissioner, Darbhanga to enquire
into the issue. However, no such proceeding has been initiated till date. He
submitted that if the authorities examine the claim of the petitioner then



there is likelihood that they would find irregularities in the selection of respondent No. 6.

In view of the submissions advanced by petitioner's Counsel issue is required to be examined by the authorities themselves. The writ petition therefore need not be kept pending as the petitioner has raised disputed issues of fact, regarding non service of notice regarding counseling.

The writ petition is therefore disposed of with a direction to respondent No. 7 to complete the enquiry in terms of order dated 18.7.2014 issued by Commissioner, Darbhanga Division after hearing all the parties concerned in accordance with law expeditiously and without any undue delay.

In order to facilitate such consideration petitioner should approach respondent No. 7 within four weeks from today, by filing an application along with a copy of this order.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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