

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19244 of 2019

1. Ashok Kumar Son of Late Krishna Prasad Resident of Village- Pathra English, Post Officer- Orhanpur, Police Station- Muffasil, District- Nawadah, presently Member, Zila Parishad, Nardiganj, Bhag-1, District- Nawadah.
2. Anar Devi Wife of Late Kailash Manjhi Resident of Village- Pathra, Post Officer- Bhadokhra, Police Station- Muffasil, District- Nawadah, presently Mukhia, Bhadokhra Gram Panchayat Raj, Block- Nawadah, District- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Planning and Development, Government of Bihar, Patna.
2. The Joint Secretary Department of Planning and Development, Government of Bihar, Patna.
3. The Director Department of Yojna and Development, Bihar, Patna.
4. The District Magistrate Nawadah.
5. The District Planning (Yojna) Officer Nawadah.
6. The Executive Engineer Local Area Engineering Organisation, Work Division-1, Nawadah, District- Nawadah.
7. The Assistant Engineer Local Area Engineering Organisation, Work Division-1, Nawadah.
8. Sri Kaushal Yadav Son of Late Yugal Kishore Yadav Present Member of Assembly, Nawadah Assembly Constituency, Flat No.13, Mangles Road, Patna-1.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Deepak Sahay Jamuar, AC to AAG-4

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 18-09-2019

Heard learned counsel for the petitioners and learned
counsel for the State.

Allegation has been made in the present application that
a Scheme was approved by the Ex-M.L.A. and after election a new
person has been elected as M.L.A. of that area. It has been alleged



that under the Chief Minister Area Development Scheme, 2014, a recommendation was made for sinking the tube-well for the purpose of drinking water to the people of that area, but after election, new M.L.A. has recommended for cancellation of that scheme and it has been recommended for transfer of that scheme to another area.

Counsel for the petitioners submits that cancellation of the scheme is not based upon any material fact, but the same has been cancelled on the whim and fancy of the newly elected M.L.A.

In that view of the matter, let the petitioners bring this fact to the notice of the District Magistrate, Nawada by filing a detailed representation, who will look into the matter and examine the complaint made by the petitioners with regard to the shifting of the scheme from one area to another area and take a decision in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

This application stands disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	21.09.2019
Transmission Date	N.A.

