

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3663 of 2017

In
Civil Writ Jurisdiction Case No.8617 of 2015

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Sangram Kumar son of Sri Raj Kumar Singh, resident of Mohalla - Shiv
Nagar, P.O./P.S./Distt. - Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through Mr. Anjani Kumar Singh, The Chief Secretary,
Bihar, Patna and Ors
2. Mr. Arbind Kumar Chaudhary, the Principal Secretary, Rural Development
Department, Bihar, Patna.
3. Mr. Arbind Kumar Chaudhary, the In-charge Commissioner MANREGA
Rural Development Department, Bihar
4. Mr. Jitendra Srivastava, the Commissioner, Magadh Division, Gaya.
5. Mr. Kaushal Kumar, The District Magistrate-cum-District Program Co-
ordinator, Nawada.
6. Mr. S.M. Kaishar Sultan, the D.D.C.-cum-Addl. District Program Co-
ordinator, Nawada.
7. Zila Parishad, Nawada through it's Chairman, Namely Smt. Pushpa Devi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh, Adv.
For the Opposite Party/s : Mr.Vinay Kriti Singh - Ga-2

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 25-11-2019 Operative portion of the order reads as under:

“Taking note of the aforesaid aspect of
the matter, in the absence of there being technically



authorized persons to implement the scheme, we do not deem it appropriate to issue any *mandamus* to allot the fund to the Zila Parishad in question. Instead, we direct Principal Secretary, Rural Development Department, respondent No.2, and the Commissioner MNREGA, respondent No.3, to look into the grievance of the petitioner with regard to operation of the scheme in the district of Nawada and for ensuring that the competent authorities do operate the scheme are made available and then funds are allotted for implementation of the scheme.

On a representation made by the petitioner along with a certified copy of the present order, the authorities to take action within a reasonable period of time from the date of receipt/production of a certified copy of this order.”

From the affidavit 31.8.2018, it is apparent that petitioner’s representation stands considered and decided vide order dated 28th of May, 2018.

As such, it cannot be said that the action of the authority is contemptuous for the only direction was “consideration of representation and consequential action” in the event the petitioner is found eligible with regard thereto.

At this stage learned counsel for the petitioner seeks permission to withdraw the application with liberty to independently assail the order in accordance with law.

The application is disposed of as withdrawn with the



aforesaid liberty to the petitioner.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

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