

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16228 of 2018

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Mritunjay Kumar Singh son of Late Subodh Kumar Singh, Resident of Village- Bangama, P.O.- Ranga, P.S. Belhar, District Banka, at present, practicing advocate, Civil Court, Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Law Department, State of Bihar, Patna.
2. The Joint Secretary, Law Department, State of Bihar, Patna.
3. The Joint Secretary, Home Department, Govt. State of Bihar, Patna.
4. The Collector, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Respondent/s : Mr.Gyan Prakash Ojha -Ga7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 13.08.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“(i) For issuance of writ of certiorari for quashing the
part of letter No. 320 dated 7.4.2018 issued under the signature
of In-charge Officer, Legal Branch, Collectorate, Banka by
which he was directed the Secretary of District Advocate
Association, Banka to sent the return of Income Tax of Financial



Year 2015-16, 2016-17 and 2017-18 of enclosed name of advocates who have applied for their appointment as Government pleader in the District-Banka.

(ii) For issuance of writ of Mandamus commanding the respondent authorities that it is not made essential to file Income Tax Return of last Financial three year, who have already applied in the year of 2014 for appointment as General Pleader and list have already been prepared and it was pending for its final order which is latches on the part of authority.

(iii) For issuance of such other appropriate writ or order or direction for which may deem fit and proper for the ends of justice. ”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.



Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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