

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2834 of 2020

=====

Dilip Kumar S/o Niranjan Singh, resident of Vill- Doshtiya Madhopur
Sengahi Indarwa P.S.- Piprahi, Distt.- Sheohar, Bihar-843334

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Patna, Bihar
2. The Principal Secretary, Panchayti Raj Department, Bihar, Patna
3. The Director, Sat Nishchay Yojna Panchayti Raj Vibhag, Patna
4. Collector cum District Magistrate, Sheohar
5. Dy. Development Commissioner, Sheohar
6. District Panchayat Raj Officer, Sheohar
7. Block Development Officer, Piprahi, Sheohar
8. Belwa Gram Panchayat Raj Piprahi P.s.- Piprahi, Distt- Sheohar through its Secretary,
9. The Chairman cum ward member Sat Nishchay Yojna ward no. 12, Execution Committee under Belwa Gram Panchayat Raj Piprahi, P.s. Piprahi Distt.- Sheohar
10. The Contractor, Assigned for Nal Jal Yojna for ward no. 12 of Gram Panchayat Belwa Paprahi, P.s.- Piprahi, Distt.- Sheohar
11. Engineer Junior concerned with the Nal Jal Yojna in ward No. 12 Belwa Gram Panchayat, P.s.- Piprahi, Distt.- Sheohar
12. The Superintendent of Police PS and District- Sheohar
13. The Department of Vigilance through its Principal Secretary, Patna, Bihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Bindeshwar Sah, Advocate
For the Respondent/s : Mr.Archana Meenakshi (GP 6)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-12-2020

Petitioner has prayed for the following relief(s):

“To issue writ/writs in the nature of



mandamus, order & direction to the respondent authority concerned to enquiry into the matter stated in the petition and necessary actions as per law under civil as well as criminal law with a view to uphold the bold Bihar Vikas Mission- Har Ghar Nal Jal Yojna and omit the illegalities/ irregularities therein and check the draining of public money by unscrupulous officials and concerned antithesis to the transparency & propriety in official dealing in the interest of Justice.

And

Stay the execution of Nal Jal Yojna in the Belwa Gram Panchayat Piprahi Sheohar ward no. 12 till the pendency of this writ application.”

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 filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.



Statement accepted and taken on record.

Petition is disposed of with the direction to the respondent nos. 3 and 4, namely The Director, Sat Nishchay Yojna, Panchayati Raj Vibhag, Patna and Collector-cum-District Magistrate, Sheohar to consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

It is clarified that the proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

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.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.



Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

anil/-

AFR/NAFR	
CAV DATE	
Uploading Date	18.12.2020
Transmission Date	

