

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17431 of 2017

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Anil Mehta, son of Keshav Prasad, resident of Village- Station Road,
Nawada, P.S. Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Planning and Development Department,
Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar,
Patna.
4. The Joint Director, Planning and Development Department, Government of
Bihar, Patna.
5. The District Magistrate, Nawada, District- Nawada.
6. The District Accounts Officer, Nawada, District- Nawada.
7. The Deputy Development Commissioner, Nawada, District- Nawada.
8. The District Planning Officer, Nawada, District- Nawada.
9. The District Education Officer, Nawada, District- Nawada.
10. The Executive Engineer, Local Area Engineering Organization, Nawada.
null null

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. Anjani Kumar -AAG 4

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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 25.11.2017 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 an appropriate writ in the nature of Mandamus, commanding and directing the Respondent authorities to lodge First Information Report against the erring persons, who are responsible for misappropriation of fund in purchase of Bench/Desk etc. in the different schools of the District of Nawada for the financial year 2013-14 and also to take suitable action against them pursuant to the enquiry report submitted by the respondent no.5 to the respondent no.2 vide letter no.3168 dated 10.12.2016 after holding proper enquiry by which the Respondent no.5 made a request to the respondent no.2 to take needful action in the matter at his level but even after lapse of a year, no action has been taken for the reasons best known to him.
- (II) For issuance of any other appropriate writ/ writs/ order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

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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