

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21559 of 2018

Suman Kumar Singh, Son of Late Sukhdeo Prasad Singh, Resident of Village-
Bharat Khand, P.S. Parbatta, District- Khagaria.

... .. Petitioner

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Home Secretary, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Chairman, Bihar School Examination Board, Bihar, Patna.
5. The Inspector General of Police, Vigilance Department, Govt. of Bihar, Patna.
6. The Director, Magistrate, Khagaria.
7. The Superintendent of Police, Khagaria.
8. Mr. R.K. Mahajan, the Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
9. Mr. A.K. Pandey, the Director, Higher Education, Govt. of Bihar, Patna.
10. Mr. Anup Kumar Sinha, the Secretary, Bihar School Examination Board, Bihar, Patna.
11. Mr. Suresh Sahu, the District Education Officer, Khagaria.
12. Sri Braj Bhushan Mishra, Son of Late Dilip Narayan Mishra, Resident of Village and P.O.- Bharat Khand (Naya Niwas) P.S. Parvatta, District- Khagaria and Incharge Principal cum Secretary, Sant Binova Inter College, Bharat Khan, Parbatta, P.S.- Parbatta, District- Khagaria.
13. Raghubansh Narayan Singh, Son of Late Dasrath Prasad Singh, Resident of Village and P.O.- Bharatkhand, Deorhi, P.S.- Parbatta, District- Khagaria.
14. Haldhar Prasad Singh, Son of Late Dasrath Prasad Singh, Resident of Village and P.O.- Bharatkhand, Deorhi, P.S.- Parbatta, District- Khagaria.
15. Jatashankar Singh, Son of Late Haridwar Singh, Resident of Village and P.O.- Sardiha, P.S.- Bharatkhand, District Khagaria holding the post as College- Barsar, Sant Binova Inter College, Bharatkhand, Khagaria.
16. Sant Kumar Singh, Son of Late Shiv Narayan Singh, Resident of Village and P.O.- Bharatkhand Deorhi, P.S.- Parbatta, District- Khagaria, Cashier and Land Seller.
17. Jivendra Kumar, Son of Late Shiv Narayan Singh, Resident of Village and P.O.- Bharatkhand Deorhi, P.S.- Parbatta, District- Khagaria, Cashier and Land Seller.
18. Shamsher Nath Singh, Son of Late Jagat Nath Singh, Resident of Village- Bhawanipur, P.O.- Narayanpur, P.S.- Bihpur, District- Bhagalpur, the then Secretary of Managing Committee of the College, Sant Binova Inter College, Bharatkhand, Khagaria.

... .. Respondents



Appearance :

For the Petitioner : Mr. Pramod Rajpati, Adv.
For the Respondents : Mr. Ashutosh Ranjan Pandey, AAG-15

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 02.11.2018 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 reliefs:

“(i) For issuance of writ in the nature of Mandamus commanding the Respondents concerned to lodge the F.I.R. against erring persons i.e. Respondents No. 8 to 18 for defalcation and misappropriation of Government money in several crores in Sant Binova Inter College, Bharatkhand, Parvatta, District Khagaria and for selling the land of the College registered the name of Hon’ble Governor, Bihar, Patna in pursuant to Memo No. BSEB (SS)/Coll-Estb/14/D-18 dated 11.01.2018 issued by Director, Secondary Education, Bihar School Examination Board, Patna and

(ii) For issuance of writ in the nature of Mandamus direction to Respondents to take appropriate legal and disciplinary action against erring persons i.e. Respondents No. 8 to 18 who with in connivance to each other defalcated, misappropriated the Government money in several crores which was



received in the Sant Binova Inter College, Bharatkhand, Parvatta, Khagaria in the shape of grant in aid among real teaching and non teaching employees of the College and for selling the land of the College registered in the name of Hon'ble Governor, Bihar, Patna on the basis of Enquiry report of District Magistrate, Khagaria as contained in letter No. 5183 dated 06.11.2014 endorsed to Principal Secretary, Human Resources Department, Bihar, Patna and the letter No. 0515 dated 16.09.2014 of the Senior Deputy Collector, Khagaria.”

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)

Rajeev Kumar/-

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