

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5396 of 2020

=====

Sunil Kumar Singh @ Sunil Singh S/o Late Ram Kripa Singh, Resident of
Village-Lal Diyara, P.S. Barhaiya, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Panchayati Raj, Vikash Bhawan, Patna.
3. The Principal Secretary, Public Health and Engineering Department, Patna.
4. Member Secretary Cum-Principal Secretary, Cabinet Secretariat Department, Old Secretariat, Government of Bihar, Patna.
5. The District Magistrate, Lakhisarai.
6. The D.P.R.O. Kutaha, Purbi Panchayat, Lakhisarai,
7. The Mukhiya Khutha Panchayat, Lakhisarai.

... .. Respondent/s

=====

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Anurag Saurav

For the Respondent/s : Mr.Pushkar Narain Shahi (AAG6)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-12-2020

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

"(I) For issuance of direction/writ in the nature of mandamus specially respondent no. 2 and 3 to institute a committee for conducting an enquiry the financial irregularity conducted during implementation of "Nal Jal Yojana" and "Sath Nischay Yojana" in Khutaha Purbi Panchayat, District Lakhisarai, whereas the both "Vikash Yojana" were not implemented in the said panchayat and the amount has been withdrawn by the concerned officer in connivance with the



Mukhiya of the panchayat.

(II) For issuance of writ in the nature of mandamus directing the respondent authorities specially respondent no. 5 to institute an FIR against the persons who were found guilty in disbursement of the amount under both schemes.

(III) For disposal of representation/public petition dated 04.01.2020, 28.11.2019 and 20.07.2019 whereby the villagers represented before the respondent no. 5 for proper implementation of the scheme introduced by the Government."

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).

State has no objection to the same.

As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of eight weeks.

The concerned respondent is directed to consider and decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

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 be afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises 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)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.01.21
Transmission Date	NA

