

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6689 of 2020

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Ram Tirtha Chaudhari Son of Saryug Chaudhari Resident of 116, Mohiuddin
Nagar, Police Station- Mohiuddin Nagar, District- Samastipur, Pin Code-
848501.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Development Department,
Government of Bihar, Patna.
3. The Secretary, Disaster Management Department, Government of Bihar,
Patna.
4. The Commissioner, Darbhanga Division, Darbhanga.
5. The District Magistrate, Samastipur.
6. The Deputy Development Commissioner, District- Samastipur.
7. The Deputy Collector-cum-District Disaster Management Officer, District-
Samastipur.
8. The District Panchayati Raj Officer, Samastipur, District- Samastipur.
9. The Superintendent of Police, Samastipur, District- Samastipur.
10. The Sub-Divisional Officer, Patori, District- Samastipur.
11. The Circle Officer, Mohiuddin Nagar, District- Samastipur.
12. The S.H.O., S.C./S.T. Police Station, Samastipur, District- Samastipur.
13. The S.H.O., Mohiuddin Nagar, Police Station- Samastipur, District-
Samastipur.

... .. Respondent/s

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(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.Ajay Kumar Singh
For the Respondent/s : Mr.Pushkar Shahi (Aag6)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT



(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 23-12-2020

Heard learned counsel for the parties.

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

"That the petitioner craves indulgence of this Hon'ble Court for issuance of an appropriate writ by way of Public Interest Litigation is being filed on behalf of the petitioner in the nature of Mandamus or any other appropriate/directions, command/commands for commanding and directing the respondents to enquire the defalcation of Public Money (Huge Amount) ie. amount of Disaster Management Funds & Various Schemes, such as "MUKHYA MANTRI SAAT NISCHAY YOJANA" conducted by Gram Panchayat Mohiuddin Nagar South, Samastipur, defalcated by the public representatives who is Mukhiya, Panchayat Secretary, Ward members and Ward Secretaries."

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)

veena/rrajiv-

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

