

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9705 of 2020

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Dinesh Kumar Akela Son of Late Lakhan Singh Resident of Village- Pandey
Gangaut, Police Station- Rupou in the district of Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Magadh Division, Gaya.
6. The District Magistrate-cum-Collector, Nawada.
7. The District Panchayat Raj Officer, Nawada.
8. The Sub-Divisional Magistrate, Nawada.
9. The Block Development Officer, Roh in the district of Nawada.
10. The Circle Officer, Roh Block in the district of Nawada.
11. The Gram Panchayat, Chhanaun under Roh Block in the district of Nawada through its Secretary.
12. The Mukhiya, Gram Panchayat, Chhanaun under Roh Block in the district of Nawada.
13. The Secretary, Gram Panchayat, Chhanaun under Roh Block in the district of Nawada.

... .. 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.Sunil Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

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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):-

- "(i) To directed the respondents especially respondent no.6 to make inquiry with respect to installation of Water Tower as well as the Boring under "Mukhya Mantri Gramin Pe Jal Nichay Yojana" installed in the Private land of Saterndra Singh (Ward Member of Ward No.9) bearing Khata No. 42, Plot No. 856, measuring area 14 Decimals at Mauza Telari, Ward No. 9 in Gram Panchayt, Chhanaun under Roh Block in the district of Nawada and misappropriated the public money in connivance with respondent no. 9 to 13.
- (ii) Also to direct the respondents to take legal action against the officials/persons found responsible in installation of Water Tower and Boring under "Mukhya Mantri Gramin Pe Jal Nischay Yojna."
- (iii) Also to direct the respondents to ensure the supply of water to all the houses situated in Ward No. 9 of village- Telari under Chhanaun Gram Panchayat of Roh Block in the district of Nawada.
- (iii) Also to direct the respondents to ensure the supply of water to all the houses situated in Ward No. 9 of Village-Telari under Chhanaun Gram Panchayat of Roh Block in the district of Nawada."

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

