

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16555 of 2017

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Sunil Kumar S/o Sri Shiv Lal Yadav, Resident of Village- Lalachak, P.S.-
Kurtha, District- Arwal.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Panchayati Raj Department Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Arwal.
5. The District Panchayat Raj Officer, Arwal
6. The Block Development Officer, Kurtha.
7. The D.I.G. Magadh Division, Gaya.
8. The Superintendent of Police, Arwal.
9. The Dy. S.P. Arwal (Arwal)
10. The Officer in Charge of Police Station Kurtha Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s : Mr. Pushkar Nrayan Sahi, AAG-6

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

(Per: HONOURABLE THE CHIEF JUSTICE)

4 03-03-2020 Heard learned counsel for the petitioner and

learned counsel for the respondents.

Petitioner has prayed for the following relief:

- “(i) For a direction to the respondent to make appropriate enquiry by the competent authority regarding embezzlement of huge public money *prima facie* assessed about 44,00,000/- (Forty four lakhs).
- (ii) Further for a direction to cease the power of Mukhiya and cancel his post of Mukhiya after initiating



proceeding under Rule 18 of the Bihar Panchayat Raj Act.

(iii) Further for a direction to recover the Public money of Rs. 44,00,000/- by initiating proceeding under P.D.R. Act and to attach his property.

(iv) Further the Respondent No.7 may be directed not to interfere in the investigation of Kurtha P.S. Case No. 112 of 2017.

(v) Further Respondent No.8 to 10 may be directed to complete the investigation of Kurtha P.S. Case No. 112 of 2017 with its logical conclusion and take appropriate step against the accused person in accordance with law.

(vi) To grant any other relief(s) in the facts and circumstances of this case in the eye of law.”

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 respondents 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 six 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)

(S. Kumar, J)

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