

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2085 of 2020

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Gajendra Kunwar, Son of Satyanarayan Kunwar, Resident of Village and Post-Haraj, P.S. -Dhaka, District-East Champaran at Motihari.

... .. Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Public Health Engineering Department, behind Viswasvaraiya Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Public Health Engineering Department, behind Viswasvaraiya Bhawan, Bailey Road, Patna.
3. The Engineer-in-Chief, Public Health Engineering Department, behind Viswasvaraiya Bhawan, Bailey Road, Patna.
4. The Chief Engineer (M), Public Health Engineering Department, behind Viswasvaraiya Bhawan, Bailey Road, Patna.
5. The Superintending Engineer, PH Circle, Motihari, PHED.
6. The District Magistrate, East Champaran at Motihari.
7. Superintendent of Police, East Champaran at Motihari.
8. The Executive Engineer, PH Division, Dhaka, District-East Champaran at Motihari.
9. The Assistant Engineer, PH Division, Dhaka, District-East Champaran at Motihari.
10. The Assistant Engineer, PH Division, Chakia, District-East Champaran at Motihari.
11. The Assistant Engineer, PH Division, Chhauradano, District-East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Respondent/s : Mr.S.Raza Ahmad (Aag5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:



“For direction to the respondents to make an enquiry by an independent and impartial agency into the irregularities and illegality conducted by the Executive Engineer, PH Division, Dhaka in the Public Health Engineering Department, Government of Bihar, in the ‘repair work’ of hand pumps in the Division, out of the allotments received in this account and further into the act of the Executive Engineer in getting Dhaka P.S.Case No. 236 of 2019 registered wherein it has been complained that 50-55 Measurement Books are missing, however, without giving the details of the scheme to which those were related and also without naming the projects of whose those books contained measurement and is trying to hide the illegalities and irregularities under is cover.”

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 authorities concerned to consider and decide the petitioner’s request, Annexure-5, dated 13.11.2019, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that even though an FIR, being Dhaka P.S.Case No. 236 of 2019, in relation to the subject matter, already stands registered, which is evident



from the document annexed as Annexure-3 series, but nonetheless, the authorities shall consider petitioner's request in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

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