

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5188 of 2020

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Tarkeshwar Pandit Son of Rampratap Pandit, Resident of - Ward No. 03, Fatehpur Wala, Police Station-Fatehpur, District-Samastipur, presently posted as the Principal of the Deo Chand College, Hajipur (Vaishali).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Backward and Extremely Backward Class Welfare Department, Govt. of Bihar, Patna.
2. The Secretary, Backward and Extremely Backward Class Welfare Department, Govt. of Bihar, Patna.
3. The District Magistrate, Vaishali at Hajipur.
4. The Sub-Divisional Officer, Hajipur.
5. The District Welfare Officer, Hajipur.
6. The Circle Officer, Hajipur.
7. The Sub-Divisional Welfare Officer, Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh
For the Respondent/s : Mr.Anirban Kundu (Sc24)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2021 The present writ petition has been filed seeking
following reliefs:-

(i) For issuance of writ in the nature of certiorari or any other appropriate writ for quashing the order contained in Memo no. 297 dated 24.02.2020, issued under signature of the Sub-Divisional Officer, Hajipur; whereby a direction has been issued for vacating the hostel forcefully from the unauthorized possession of the college administration on 25.02.2020 and accordingly magistrates have been deployed and request has been made from the Superintendent of Police, Vaishali to provide



adequate police force.

(ii) For issuance of writ in the nature of mandamus or any other appropriate writ for directing the respondents to unseal the building (hostel) of the Deo Chand College, Hajipur (hereinafter refer as College only) as the same has been sealed on 25.02.2020 in view of the order contained in Memo no.297 dated 24.02.2020, issued under signature of the Sub-Divisional Officer, Hajipur.

(iii) For issuance of writ in the nature of mandamus or any other appropriate writ for restraining the respondents from interfering the possession of college administration on building (hostel) situate within the premises of the College.

(iv) For holding that the interference of the respondent authorities on the peaceful possession of the College Administration on the building (hostel) is absolutely illegal, arbitrary and against the settled principle of law.

(v) For holding that the respondent authorities have no right and authority to seal the building (hostel) of the College and any endeavour on their part is absolutely illegal and unwarranted.

The learned counsel for the petitioner, at the outset, seeks liberty to enable the petitioner to approach the District Magistrate, Vaishali at Hajipur for redressal of his aforesaid grievances, however it is submitted that appropriate time frame may be fixed for disposal of the representation of the petitioner.

Having regard to the facts and circumstances of



this case, I deem it fit and appropriate to dispose off the present writ petition with liberty to the petitioner to file appropriate representation before the learned District Magistrate, Vaishali at Hajipur i.e. the respondent no. 3, within a period of four weeks from today which shall be disposed off by the respondent no. 3 within a period of eight weeks thereafter.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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