

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10159 of 2020

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Dharmjay Kumar Singh Son of Dev Narayan Singh Resident of Village-
Saraiya, Post Office- Kasimpur, Police Station- Garadih, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Rural Development Department, Government of Bihar, Patna.
3. The Principal Secretary Panchayati Raj Department, Government of Bihar, Patna.
4. The Principal Secretary Vigilance Department, Government of Bihar, Patna.
5. The Divisional Commissioner Bhagalpur Division, Bhagalpur.
6. The District Magistrate Bhagalpur.
7. The District Panchayat Raj Officer District- Bhagalpur.
8. Sri Arbind Kumar Son of Not Known Posted as the then Block Development Officer, Goradih, at present posted as B.D.O. Sanhaulla, District- Bhagalpur.
9. Sri Prabhat Keshri Son of Not Known At present posted as Block Development Officer, Goradih, Bhagalpur.
10. Sri Shankar Harizan Son of Not Known Posted as Panchayat Secretary, Gram Panchayat Raj Mohanpur, District- Bhagalpur.
11. Sri Jyotish Yadav Son of Late Prahlad Yadav Village- Punnak, Post Office and Police Station- Goradih, District- Bhagalpur, at present elected Up-Mukhia of Gram Panchayat Raj Mohanpur, District- Bhagalpur.
12. Smt. Sumitra Devi Wife of Birbal Das Village- Saraiya, Post Office- Kasimpur, Police Station- Goradih, District- Bhagalpur, at present elected Ward Member of ward No. 12 of Gram Panchayat Raj Mohanpur, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Yadav

For the Respondent/s : Mr. Patanjali Rishi, A.C. to AAG 6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 21-06-2021

Heard the parties.



Petitioner has prayed for following reliefs:-

(I) For issuance of an appropriate writ /order/ direction to the respondent nos.1 to 7 to take administrative and legal action against respondent nos.8 to 12 in pursuance of order dated 25.01.2019 passed by respondent no.5 the Commissioner Bhagalpur Division Bhagalpur by which the District Magistrate, Bhagalpur directed to take administrative and legal action against the respondent nos.8 to 12 and to report by 10th February 2019 failing which the report would be sent to vigilance Department, Government of Bihar for necessary action.

(ii) For issuance of an appropriate writ / order/direction to the respondents to take necessary action in compliance of letter no.110 dated 02.04.2019 issued by Commissioner, Bhagalpur Division, Bhagalpur.

(iii) For issuance of appropriate writ/ order / direction granting any other relief or reliefs for which the petitioner is found entitled.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four



weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;



(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) 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;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.06.2021
Transmission Date	NA

