

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10264 of 2020

Md. Ejaz Alam Son of Md. Yunus Resident of Gandhi Path, Saharsa, P.O.-
Saharsam, P.s.- Saharsa, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Child Development integrated Programme Indira Bhawan, Boring Canal Road, Patna
2. The Director Child Development Integrated Programme Indira Bhawan, Boring Canal Road, Patna
3. District Magistrate, Madhepura
4. District Programme Officer, Madhepura
5. The Child Development Project Officer Kumarkand, Madhepura
6. The Child Development Project Officer Udakisanganj, Madhepura
7. The Child Development Project Officer, Shankarpur, Madhepura
8. The Child Development Project Officer, Sinhasewar, Madhepura
9. The Child Development Project Officer, Gamharia, Madhepura
10. The Child Development Project Officer, Dhailadh, Madhepura
11. Md. Kabir Son of Md. Ayub District Programme Officer, Madhepura

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Mishra, Advocate Mrs. Manini Jaiswal, Advocate
For the Respondent/s	:	Mr. Prashant Pratap, G.P. 2

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-11-2021 Petitioner has prayed for the following relief(s):-

“(i) For issuance of an appropriate writ quashing the order contained in letter No. 844 dated 02.06.2020 issued under the signature of respondent No.5 by which payment has been stopped.

(ii) For issuance of an appropriate writ in



the nature of mandamus commending the respondent authorities to consider the case of the petitioners for payment of lawful dues payable to the petitioner which has been withheld by the respondent authorities deliberately with malafide intention.

(iii) For direction upon the respondent authorities to shift the liabilities and to take an appropriate action against the erring person.

(iv) Any other order or orders as your Lordships may deem fit and proper in the facts and circumstances of the case be granted to the petitioner.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to Respondent No. 4, namely District Programme Officer, Madhepura, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present application is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner’s application/request expeditiously and preferably within a period of six months from the date of its



presentation.

While considering such representation, the period for which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

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