

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3744 of 2021

=====

Jagat Paswan S/o- Late Jibachha Paswan R/V- Antaur, P.S.- Bahera, District-
Darbhanga. Petitioner/s

Versus

1. The State of Bihar Through the Development Commissioner, Chairman of the Committee Patna.
2. The Commissioner Darbhanga.
3. The District Magistrate Darbhanga.
4. The Departmental Public Grievance Redressal Officer Rural Development, Darbhanga.
5. The Circle Officer Alinagar, District- Darbhanga.
6. The Junior Engineer Alinagar Block, Darbhanga.
7. Thr Rojgar Sewak Gram Panchayat Raj Motipur, Block- Alinagar, Darbhanga.
8. The Ex Mukhiya Gram Panchayat Raj Motipur, P.S.- Bahera, District- Darbhanga.

... .. Respondent/s

=====

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

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.
For the Respondent/s : Mr. Sajid Salim Khan (SC-25)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 29-06-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“i. For commanding the respondents authorities to fix the liability against the respondents, who misappropriate the public money of Rupees 18,26,275 (Eighteen thousand twenty six thousand two hundred

seventy five rupees)- under MANREGA Schemes per the Joint enquiry report of MANREGA Scheme vide letter No. 232 dt. 9.8.2018, it has come in order dated 11.6.2019. (Annexure-4)

ii. For directing the Competent authorities to lodge the FIR against them, who misappropriated the public money pursuant to the order dated 11.6.2019 passed in Complaint 18,26,275 (Eighteen thousand twenty six thousand two hundred seventy five rupees)- under MANREGA Scheme No. 999910124041905376 (Annexure-4)

iii. For commanding the respondent authorities to recovered the Misappropriate amount Rs.- 18,26, 275 (Eighteen thousand twenty six thousand two hundred seventy five rupees)- from the accused persons and further the pleased to sent them behind the bar.

iv. For granting the other relief or reliefs in accordance with law.

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 **District Magistrate, Darbhanga** 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 **District Magistrate, Darbhanga** 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)

sushma/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-6-2021
Transmission Date	NA