

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10402 of 2020

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Usha Devi, Wife of Satendra Chaudhary, Resident of Chiksaura Bazar, Post Chiksaura, District- Nalanda.

... .. Petitioner/s

Versus

1. The Union of India through the Principal Secretary, Ministry of Rural Development, Government of India.
2. The Principal Secretary, Ministry of Rural Development, Department, Government of Bihar, Patna.
3. The District Magistrate Nalanda.
4. The Deputy Development Commissioner Nalanda.
5. The Block Development Officer Hilsa, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jai Vardhan Narayan, Advocate
For the Respondent/s	:	Mr. Dr. K. N. Singh (A.S.G.)
		Mr. Anjani Kumar, AAG-4

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

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

Date : 21-06-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

- “1. That this writ petition is being filed by way of public interest litigation by the petitioner who is a person involved for the betterment of the town.
2. That the petitioner is a person who is involved in various social activities in District Nalanda for the betterment and development of the town and has a



good social reputation in the society. The petitioner had also been former Mukhiya and this public interest litigation is being filed before this Hon'ble Court for issuance of directions orders or writ in the nature of mandamus commanding the respondents to take immediate action in regard to embezzlement of several lacks of rupees by the Panchayat Housing Assistant of block Hilsa, Gram Panchayat Raj Chiksaura under the garb of Pradhan Mantri Awas Yojna (Gramin) and the benefits of the scheme have been given to undeserving and unqualified persons of block Hilsa by means of forgery and miss representation of documents and several lacks of rupees have been credited to the undeserving and unqualified persons leaving behind the truly deserving and down trodden persons of the village who actually require the benefits of the scheme. The authorities in a very collusive manner have allotted the benefits of scheme to particular section of the people who are capable enough of paying extraneous consideration."

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, Nalanda 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, Nalanda 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)

veena/rajiv-

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

