

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.232 of 2021

Tribhuwan Prasad @ Tribhuwan Prasad Yadav, RTI Activist, age about 42 years, Son of Sri Arjun Singh, Resident of Yadubanshi Nagar, (Akhadha Road) Digha Ghat, Police Station- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Home Department, Bihar, Patna.
3. The Principal Secretary, Gramin Development Department, Bihar, Patna.
4. The Principal Secretary, Department of Panchayati Raj, Bihar, Patna.
5. The Principal Secretary, Public Health Engineering Department, Bihar, Patna.
6. The Additional Secretary, Home Department, Bihar, Patna.
7. The Deputy Secretary, Home Department, Bihar, Patna.
8. The Director, Bihar Development Mission, Bihar, Patna.
9. The Commissioner, Patna Zone, Patna.
10. The District Magistrate, Patna.
11. The District Development Commissioner, Patna.
12. The Director, D.R.D.A., Patna.
13. The District Panchayati Raj Officer, Patna.
14. The Chief Executive Officer, District Board, Patna.
15. The District Panchayat Officer, Patna
16. The S.D.O. Patna
17. The Block Development Officer, Patna
18. The Block Development Officer, Maner, Patna
19. The Circle Officer, Patna Sadar
20. The C.D.P.O. Gramin, Patna
21. The Director General of Police, Patna
22. The Inspector General of Police, Patna Region, patna
23. The Senior Superintendent of Police, Patna
24. The city Superintendent of Police, (Midle) patna
25. The Additional Superintendent of Police, Law and Order Kotwali, District- Patna
26. The Chairman Bar Council of India, New Delhi
27. The Chairman The Bihar Bar Council, Patna
28. The Secretary, The Bihar Bar Council, Patna
29. The Officer In Charge, P.s.- Digha, Patna



30. Bhagirath Prasad S/o Late Rajendra Rai Present Address- Maicka Colony, Digha Ghat, P.s.- Digha, District- Patna, Parmanent Address- Nakata Diyara, P.s.- Digha, District- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar, Advocate
For the Respondent/s : Mr. Prabhat Kumar Verma, AAG-3

(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 : 22-06-2021

Heard the Parties.

Petitioner has prayed for following relief(s):-

“(i) For issuance of a writ in the nature of mandamus commanding the respondent authorities for urgent inquiry of the fund issued by Government of India and Government of Bihar to the Gram Panchayat Nakata Diyara Digha, Patna Sadar about the defalcation of funds in several heads (Project) i.e. erection of road and Gali in the panchayat, distribution of Manarega Job Card, Prirne Minister Awash Yojana issuance of BPL Cards and The Chief Minister Kanya Vivah Yojana etc. In which there is too much manipulation and defalcation of Government funds issued for development and upliftment of the livelihoods of Panchayat residents/peoples of Nakata diyara Panchayat.

(ii) For issuance of an appropriate writ/order/ direction including a writ in the nature of mandamus commanding the Respondent authorities to take appropriate steps and fix the responsibility on the Respondents, for not discharging their legal duties, And direct



to conduct departmental proceeding against the Respondents.

(iii) For the issuance of an appropriate writ/order/direction including a writ in the nature of mandamus for direction to the Respondents to protect the life of the petitioner from threat from various sources.

(iv) For the grant of such other relief(s) as the petitioner would be found entitled to on the facts and in the circumstances of the case.”

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)

Rajiv/veena-

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

