

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.826 of 2021

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Chandan Kumar Son of Bishwanath Singh Resident of Village and P.O.- Kuari
Madan, P.S. Mejarganj, District- Sitamarhi. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. Additional Chief Secretary, 7 Nischay Yojana, Vikas Bhawan, New Secretary, Patna, Bihar.
3. District Magistrate, Sitamarhi.
4. Block Development Officer, Block and P.O. and P.S. Mejarganj, District- Sitamarhi.
5. Block Sachiv, Block and P.O.- Mejarganj, District- Sitamarhi.
6. Mukhiya, Raj Kuari Madan, Panchayat, P.O.- Kuari Madan, P.S. Mejarganj, District- Sitamarhi.
7. Ward Sadasya, Raj Kuari Madan Panchayat, Block- Mejarganj, District- Sitamarhi.
8. Ward Sachiv, Raj Kuari Madan Panchayat, District- Sitamarhi.
9. Ward Commissioner, Raj Kuari Madan Panchayat, P.O.- Kuari Madan, Mejarganj, District- Sitamarhi.

... .. 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 Kr Singh No.1
For the Respondent/s : Mr. Pawan Kumar (AC to AG)

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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 an appropriate writ/writs, order / orders, direction / directions commanding and directing the respondents to set up enquiry in village Raj Kuari Madan Panchayat, Block Mejarganj, District Sitamarhi bearing Ward No. 01, 02, 03 and 04 as such the concerning Ward Member and Ward Sachiv have committed several irregularities in the scheme of Chief Minister’s Seven Nischaya Yojana and defalcated the Public Money, Roads have not constructed properly and Water pipe work has also not completed properly in the concerned Panchayat.

(ii) For issuance of any other appropriate writ/writs, direction / directions, order / orders as this Hon’ble Court may deem fit and proper.”

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 Block Development Officer, Mejarganj, Sitamarhi 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 Block Development Officer, Mejarganj, Sitamarhi 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	25/6/2021
Transmission Date	NA