

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1600 of 2021

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Surendra Yadav S/o Sivarat Yadav, Resident of Village-Bhetaura, P.O.-
Bhetaura, P.S.-Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary, Rural Development Department, Bihar, Patna.
3. The Divisional Commissioner, Gaya.
4. The District Magistrate, Gaya.
5. The Deputy Development Commissioner, Gaya.
6. Block Development Officer, Tankuppa.
7. Panchayat Secretary, Bhataura, Block Tankuppa, District Gaya.

... .. Respondent/s

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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.)

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Respondent/s : Mr. Anjani Kumar (AAG-4)

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

Date : 28-06-2021

Heard learned counsel for the parties.

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

“i). This writ application in the nature of Public Interest Litigation is filed for a direction to the respondent particularly respondent no. 2 or any other independent agency to conduct an enquiry with regard to selection of beneficiary under prime minister housing scheme rural in the panchayat

of Bhataura, in the block of Tankupa, district Gaya.

ii) For issuance of writ in the nature of mandamus or any the appropriate writ or direction to the respondent to adhere with guideline of selection of beneficiary under prime minister housing scheme rural in the block of Tankupa.

iii) For issuance of writ in the nature of mandamus to the respondent for suitably punished the erring officials who have selected the beneficiary having pakka house or any other disqualification under the scheme.

iv) For issuance of any other writ for which the petitioner is otherwise entitled.”

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, Tankupa, Gaya 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 Tankupa, Gaya 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	29/6/21
Transmission Date	NA