

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17596 of 2021

Om Prakash Suman son of Ramakant Sahani, resident of Village Chak Abdul Rahman, Garm Panchayat-Aadi Gopalpur, P.s. Bochahan, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, the Panchayat Raj Department, Bihar, Patna.
2. The Secretary, the Rural Works Department, Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Deputy Development Commissioner, District-Muzaffarpur.
5. The Junior Engineer, Gram Panchayat Raj, Aadi Gopalpur, Block, Bochahan.
6. The Block Development Officer, Bochahan.
7. The District Panchayat Raj, Muzaffarpur.
8. Manju Devi, Wife of Muna Kumar Ward Member-12 along with other ward members of the Gram Panchayat Raj Aadi Gopalpur, Block Bochahan.
9. Mukhiya Gram Panchayat Raj Aadi Gopalpur.
10. Panchayat Secretary, Gram Panchayat Raj Aadi Gopalpur.
11. The Officer-In-Charge Bochahan.
12. Awash Sahayak at Gram Panchayat Raj Aadi Gopalpur Block Bochahan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Hans Lal Kumar, Advocate
For the Respondent/s	:	Mr.Pushkar Narain Shahi (AAG 6)
		Mr. Patanjali Rishi, AC to AAG 6

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-10-2021

This application has been preferred praying inter
alia for the following relief/s:



“(i) For issuance of writ in the nature of mandamus and directing and commanding the respondents to enquire upon all the developments schemes is the Gram Panchayat Raj Aadi Gopalpur, Block Bochahan, District- Muzaffarpur i.e. Indra Awash Yojana, Har Nal Ka Jal Yojana, P.C.C. etc. and after inquiry, make direction to take appropriate steps against the involved persons and penalised according with law, hereby and whereunder the respondents authorities have made irregularities and illegalities for an embezzlement of Govt. money and fraud business of the Govt. money with collusion of the Govt. Officials as well as Mukhia of the concerned Gram Panchayat Raj and ward members.

(ii) For further direction to the respondent authorities to comply the vide order dated 27/12/2018 passed by the Additional Collector, (Public Claims Redressal Officer) District- Muzaffarpur in 1st Appeal No.- 51411 80 29061 800874/IA and also order dated 12/09/2018 passed by the Sub-Divisional Public Claim Redressal Officer, East Muzaffarpur in Complaint Case No.-5141180290 64 800 874.

(iii) And any other relief or reliefs as your lordships may deem fit and proper.”

Considering the nature of grievance raised in the application, we are of the considered view that it would be appropriate if the petitioner were to first approach the respondent authorities by way of filing representation.

The present application is, accordingly, disposed of reserving liberty to the petitioner to file appropriate



representation before the appropriate authority within a period of four weeks. If such a representation is filed by the petitioner within the time stipulated, the authority concerned is directed to consider the same and dispose it of expeditiously and preferably within a period of three months thereafter. Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petitions, if so required and desired.

With the aforesaid observations, this application is disposed of.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.10.2021
Transmission Date	

