

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.56 of 2018

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Manoj Kumar @ Munna, Son of Yadunandan Prasad Yadav, Resident of Village- Rajendra Nagar, Station Road, inside Hotal, S. Kumar, P.S. Bhagwanpur, District Begusarai.

... ... Petitioner

Versus

1. The State Of Bihar through The Principal Secretary Social Welfare Department Govt. Of Bihar, Patna
2. The Magistrate Collectorate, Begusarai (Welfare Section)
3. The District Welfare Officer, Begusarai.
4. The Circle Officer, Virpur, District - Begusarai.
5. Nita Bharti Daughter of Shri Bishnudeo Paswan
6. Shri Bishnu Deo Paswan, Son of Sr. No. 4 to 5 are residents of Shanti Shah Chowk, P.O. Baghi, P.S. Sohirad Nagar, District Begusarai, Pin-851101.

... ... Respondents

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mishra, Advocate.
For the Respondent/s : Mr.Md. Raishul Haque, SC- X

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-09-2022 In this case, the petitioner is seeking a direction to the respondent no. 2 for proper investigation into the matter of false entries made in the application for SC/ST Scholarship for the Session 2010-11 and 2011-12 by the O.P. No. 4 and 5. The allegation is that the scholarship has been obtained fraudulently and thereby the government money has been misappropriated.

It appears on perusal of the writ application that respondent no. 5 happened to be a government employee. By forging his signature on the application form an application was



made for scholarship during the Session 2010-11.

A counter affidavit has been filed on behalf of respondent no. 3. It is stated that in paragraph '5' thereof that on the representation filed by the petitioner, the matter has been enquired into and the income certificate of the private respondent no. 5 & 6 was found different in date and amount. It is also submitted that show cause notice has been issued to respondent no. 5 & 6 to deposit back the scholarship amount in the government account which was wrongly taken by respondent no. 5.

In the given facts and circumstances of the case, this Court finds that the District Welfare Officer, Begusarai who has issued letter, as contained in Annexure 'B', to respondent no. 4 & 5 shall ensure that complaint made by the petitioner be taken to a logical end. In case, the petitioner finds that the District Welfare Officer, Begusarai has not taken the matter to a logical end and appropriate action has not been taken by him, it will be open for the petitioner to bring it to the notice of the District Magistrate, Begusarai for appropriate action.

This Court would, however, make it clear that at this stage this Court has not gone into the merit of the allegations and has not formed any opinion of it's own. All actions taken



either by the District Welfare Officer, Begusarai or the District Magistrate, Begusarai shall be based on the materials before them, in consonance with the principles of natural justice and after hearing both the sides.

This Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

