

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4078 of 2015

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Jhari Sahani Son of Chalitra Sahani resident of Village - Maheshwara, P.S. - Gaighat, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Home Secretary Govt. of Bihar, Patna.
3. The Home Commissioner, Govt. of Bihar, Patna.
4. The Director General of Police Govt. of Bihar, Patna.
5. The Inspector General of Police Tirhut Range, Muzaffarpur.
6. The Deputy Inspector General of Police Tirhut Range, Muzaffarpur.
7. The District Magistrate, Muzaffarpur.
8. The Senior Superintendent of Police, Muzaffarpur.
9. The Deputy Superintendent of Police, East, Muzaffarpur.
10. The Block Development Officer, Gaighat, Muzaffarpur.
11. The Officer Incharge, Katra Police Station Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2022 Heard Mr. Pramod Kumar Singh, learned counsel for the petitioner.

The present writ application has been filed claiming financial benefits by the petitioner in terms of the resolution of the State Government, which was published vide Memo No. 2705 dated 23.11.2001.

The petitioner was a member of Naxalite group called M.C.C. The State Govt. through Home (Spl.) Deptt., Govt. of



Bihar came out with a resolution under which persons engaged in Naxalite activities were to be given rehabilitation and other financial benefits if they surrender before the Police voluntarily.

The case of the petitioner is that petitioner along with other eighteen Naxalites / extremists surrendered before the Superintendent of Police, Muzaffarpur along with arms on 19.12.2005.

Learned counsel for the petitioner submits that all the benefits as stated in the resolution have not been given to the petitioner by the respondent-State. Up till now a total sum of Rs. 1,44,000/- has only been given, whereas, the petitioner is entitled for pension, land, bank loan, Indira Awas Scheme etc. as per the rehabilitation scheme. The petitioner has filed various representations, which are at Annexure- 3 Series to this petition, before the Senior Superintendent of Police, Muzaffarpur and District Magistrate, Muzaffarpur, but no action has yet been taken on the representations of the petitioner.

I have heard learned counsel for the petitioner.

No one appears for the respondent-State.

Taking into consideration the nature of dispute involved in the case and the fact that petitioner has filed representations before the respondent no. 8- Senior



Superintendent of Police, Muzaffarpur and the respondent no. 7 / District Magistrate, Muzaffarpur, which are still pending, accordingly, the District Magistrate, Muzaffarpur is directed to dispose the representation filed by the petitioner (Annexure- 3/2 to this petition) within a period of three months from the date of receipt / production of a copy of this order in accordance with law by a reasoned order after giving opportunity of hearing to the petitioner.

Needless to say that if any benefit under the scheme is found payable to the petitioner, the same shall be paid to him within a further period of two months from the date of disposal of the representation.

Accordingly, with the aforesaid observation and direction this writ application is disposed of.

(Anil Kumar Sinha, J)

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