

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18386 of 2021

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Atma Ram, Son of Nakchhed Ram, Resident of Village - Rajapur Mokari,
Police Station - Dhanha, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Collector, West Champaran.
3. The District Panchayat Raj Officer, West Champaran at Bettiah.
4. The Sub Divisional Officer, Bagaha, West Champaran.
5. The District Welfare Officer, Bettiah, West Champaran.
6. The Block Development Officer, Madhubani, West Champaran.
7. The Junior Engineer, Manrega in Gram Panchayat Raj.
8. The Mukhiya, Gram Panchayati Danha Police Station - Danha, District - West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Suresh Prasad Sharma, Advocate
For the Respondent/s	:	Smt. Archana Meenakshee (GP-6)

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

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 29-01-2022

Heard learned counsel for the parties.

2. Petitioner has prayed for the following relief(s).

“1. That this writ application is beinf filed

for direction to the respondents concern to pay the due amount of Rs, 4,99,400/- (Four lacs ninety-nine thousand and four hundred only) to the Petitioner who has constructed the pulia in way of than gate to Mokuri road in which only Rs. 25,000/- (Twenty-five thousand only) has paid by the respondent Panchayat Secretary of Gram Panchayat Raj Danha during the tenure of Mukhiya in the said Village but till date the rest amount has not paid by the respondents concern AND/OR pass such other order/orders, writ/writs, direction/directions, for which the Petitioner is found to be entitled in the facts and circumstances of this case.”

3. After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned 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).

4. Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

5. Statement accepted and taken on record.

6. 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 four months from the date of its filing along with a copy of this order;
- (c) The order assigning reasons shall be communicated to the petitioner;
- (d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;
- (f) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies

as are otherwise available in accordance with law;

(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

(j) 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;

7. The petition stands disposed of in the aforesaid terms.

8. Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	