

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21334 of 2021

=====

Ramchandra Sao S/o Late Parmeswar Saw, R/o Village - Chhoti Kachahari
Rajgir, P.O. and P.S.- Rajgir, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Planning Government of Bihar.
2. The Rajgir Ayojana Kshetra Authority through its Chairman-cum-Divisional Commissioner, Biharsharif, Nalanda, Bihar.
3. The District Collector-cum-Deputy Chairman, Rajgir Ayojana Kshetra Authority, Biharsharif, Nalanda.
4. The Chief Executive Officer-cum-Subdivisional Officer, Rajgir Ayojana Kshetra Authority, Rajgir Subdivision, District - Nalanda.
5. The Nagar Parishad Rajgir through its Executive Officer, District - Nalanda.
6. The Circle Officer, Rajgir Anchal, District - Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Shashi Kumar, Advocate
For the Respondent/s : Mr.Harish Kumar (Gp8)

=====

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

Date : 21-02-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

1. That writ petition is for issuance of a direction to the Respondents to establish Vending Zone Near Kund Parishad of Rajgir Kund Kshetra Plot No. 5028 from where petitioner shop was demolished and petitioner

be allotted a shop in the Vending Zone and further direction may be issued to the Respondents to allow run his Thela shop near Rajgir Kund area temporarily until Vending Zone is established.

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).

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.

Statement accepted and taken on record.

As such, petition stands disposed of on 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;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2022
Transmission Date	NA