

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15558 of 2014

Sanjay Kumar No. II son of Shri Binesh Prasad, Resident of Mohalla-Sukhmaha Mahadeo, under Gaya Chandchaura, P.S.- Civil Lines, Town and District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Govt. of Bihar, Patna
3. The Commissioner, Magadh Division, Gaya
4. The District Magistrate, Gaya
5. The Gaya Municipal Corporation, Gaya through its Municipal Commissioner
6. The Board of Gaya Municipal Corporation, Gaya through its Municipal Commissioner
7. Municipal Commissioner, Gaya Municipal Corporation, Gaya
8. The Enquiry Committee, Gaya Municipal Corporation, Gaya
9. Shri Kumud Kumar Singh son of not known, Executive Engineer-cum-Member Enquiry Committee, Gaya Municipal Corporation, Gaya
10. Shri Shailendra Kumar Sinha, son of not known, Assistant Engineer-cum-Member Enquiry Committee, Gaya Municipal Corporation, Gaya
11. Shri Binod Prasad son of not known, Assistant Engineer-cum-Member Enquiry Committee, Gaya Municipal Corporation, Gaya
12. Shri Balindra Singh, son of not known, Office Superintendent-cum-Member Enquiry Committee, Gaya Municipal Corporation, Gaya
13. Shri Prakash Kumar son of not known, The City Manager-cum-Member Enquiry Committee, Gaya Municipal Corporation, Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv.
For the Respondent/s : Mr.Anshuman Singh,GP-24

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1. A. For issuance of a writ in the nature of



mandamus directing the respondents to hold fresh enquiry regarding appointments of all working employees of the Gaya Municipal Corporation: by appointing any competent authority equivalent or above to the rank of the Municipal Commissioner as most of them were appointed in the similar manner like the petitioner and 17 others, who are being victimized by the present enquiry committee, though their own appointments were made in similar manner and even they are not competent to make enquiry about the appointments/confirmation of service done by the competent authority (the Administrator/the Chief Executive Officer/the Incharge Officer etc.), who were much senior to the members of the present enquiry committee.

B. For a consequential writ/writs to hold and declare that the present five members enquiry committee constituted by the respondent Municipal Commissioner is illegal as the same is not competent to make enquiry about the appointment orders/confirmation orders passed by their Senior Officials and all the members of the enquiry committee being much below in rank and grade of the competent authority are not empowered to enquire about the actions of their senior most authority.”

At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks



liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of the aforesaid grievances. Liberty so sought is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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