

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23343 of 2013

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Narayani Prasad S/O Late Badri Narain Lal Resident of Mohalla -
Laskariganj, P.O. and P.S. Sasaram, District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary-cum-Commissioner to Govt., Rural Development Department, Bihar, Patna.
2. The District Development Commissioner, Rural Development Agency, Rohtas, Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Sinha, Advocate
For the State : Mr.S.S. Shabbar Hussain

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-06-2023 The present writ petition has been filed seeking the following relief:-

“1. That, this is an application for issuance of appropriate writ/writs, order/orders and direction/directions to the Respondents not to act on impugned order and the same should be quashed which is totally perverse and has been issued against the well founded circumstances and is totally against the law of the land. The impugned order has been issued mechanically without application of mind by the Respondent-2 the Deputy Development Commissioner, District Rural Development Agency, Rohtas Sasaram passed order for recovery of Rs. 97301.01 (Ninety seven thousand three hundred one and paise one) being an amount paid on account of A.C.P. (Assured



Career Progression) while he was in service after about 9 years of the retirement of the petitioner. It is further directed to deposit the same within a fortnight with threatening of dire consequences in case of failure/default vide letter No. 2089 dated 07/10/2013.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to assail the order dated 07.10.2013, passed by the Deputy Development Commissioner, Rohtas at Sasaram, by filing appropriate appeal before the District Magistrate, Rohtas at Sasaram. Liberty so sought is granted.

It is needless to state that in case appropriate appeal is filed by the petitioner before the District Magistrate, Rohtas at Sasaram, within a period of four weeks from today, the same shall be considered, in accordance with law and disposed off by the District Magistrate, Rohtas at Sasaram, by passing a reasoned and a speaking order, within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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