

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23145 of 2013

=====

Shashi Bhushan Prasad Singh S/O Late Maheshwar Prasad Singh Resident Of
Village - Govindchak Gheghtha, P.S. Sonpur, District - Saran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Bihar, Patna.
2. The Chief Secretary, Bihar, Patna.
3. The Principal Secretary, Land Reforms Department, Govt. Of Bihar, Patna.
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
5. The Collector - Cum - District Magistrate, West Champaran At Bettiah.
6. The Treasury Officer, Bettiah Treasury Officer, Bettiah, District - West Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Anil Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

“(A) For issuance of a writ in the nature of certiorari or any other appropriate writ, order/s, direction, quashing the order dated 20.03.2013 contained in memo no. 702 dated 21.02.2013 passed by the Collector-cum-District Magistrate, West Champaran at Bettiah to the extent the same relates to imposing of the penalty against the petitioner under the provisions of Bihar Right to Public Services Act, 2011 without providing any opportunity of hearing to the petitioner at any point of time either prior to imposition of



the penalty in question or subsequent thereto and the impugned order in question is also without jurisdiction as well and the same has not been passed after following the due procedure prescribed under the Bihar Right to Public Services Act, 2011.

(B) For issuance of a writ in the nature of mandamus or any other appropriate writ, order/s, direction commanding the respondents for the followings:-

(i) To treat the annexure- 2 to the petition to be nullity and non-est in the eye of law.

(ii) To hold that the impugned order has been passed without providing any opportunity of hearing to the petitioner.

(iii) To hold that the impugned order is completely without jurisdiction in as much as the Collector has usurped the power of appellate authority/ reviewing authority under the Bihar Right to Public Services Act, 2011 although he is neither appellate authority nor reviewing authority with respect to the matters mentioned in the impugned order.

(iv) To hold that the procedure prescribed under Bihar Right to Public Services Act, 2011 has not been followed prior to issuance of the impugned order in question.”

At the outset, the learned counsel for the petitioner



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

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

rinkee/-

U			
---	--	--	--

