

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7221 of 2023

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1. Premnath Tiwary Son of Bhola Tiwary, Resident of Village- Mahablipur, P.S.- Paliganj, District- Patna.
 2. Pushpa Devi Wife of Jai Nath Tiwary, Resident of Village- Mahabalipur, P.S.- Paliganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Additional Collector, Patna.
4. The Officer, District Rural Development Agency, Patna.
5. The Block Development Officer, Paliganj, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh (Ga2)
Mr. Akhileshwar Singh, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-11-2023 1. The present writ petition has been filed seeking the following relief:-

"(i) For issuance of a writ in the nature of certiorari for quashing of the Notice bearing Letter No. 649 dated 06.04.2023 and the Notice bearing Letter No.648 dated 06.04.2023 issued by the Block Development



Officer, Paliganj, Patna whereby the petitioners have been directed to deposit amount of Rs. 1,20,000/- + Rs. 1,20,000/- in the Nazarat of Block Office, Paliganj, Patna within a period of two days failing which F.I.R. shall be instituted against the petitioners as neither the enquiry was conducted nor any show cause notice was given to the petitioner before the recovery proceeding in the facts and circumstances of the case.

ii) For issuance of a writ in the nature of Mandamus directing the respondents authorities to conduct proper enquiry in presence of the petitioners and the villagers to prove the allegation made in the aforesaid notices in the facts and circumstances of the case.

iii) For issuance of a writ in the nature of mandamus directing the respondent authorities not to take further steps against the petitioners in terms of the aforesaid notices of recovery in the facts and circumstances of the case."

2. At the outset, the learned counsel for the



petitioners seeks liberty on behalf of the
petitioners to approach the District Magistrate,
Patna for redressal of their aforesaid grievances.
Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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