

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6154 of 2015

Amrendra Rai, Son of Late Chandradeo Rai, resident of Village- Kurshandi,
Block- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner cum the Secretary Flood Control Old Secretariate, Patna.
3. The District Magistrate, Madhepura.
4. The Deputy Development Commissioner, Madhepura.
5. The District Certificate Officer, Madhepura.
6. The Deputy Collector Land Reforms, Udakishunganj, District Madhepura.
7. The Sub Divisional Officer Udakishunganj Madhepura.
8. The Block Development Officer Puraini Udakishunganj District Madhepura.
9. The District Manager Bihar State Food and Civil Supply Corporation Limited Puraini Udakishunganj Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Jitendra Kumar Roy, No. 1, Advocate
		Mr. Bijay Bhushan Pd, AC to SC 13

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 31-08-2023

Heard the parties.

2. The present writ petition is filed for the following

relief(s):-

“For issuance of an appropriate writ in the nature of certiorari for quashing the notice contained in Memo No. 1075-2 dated 10.04.2015 issued under the signature of respondent Sub Divisional Officer by which the petitioner was directed to file show cause within a period of three days as to



why Rs.2508949.50/- was not deposited, failing which a F.I.R. will be instituted”.

3. After arguing at length, when it was pointed out by the Court that the impugned notice challenged by the petitioner in the present writ petition is only a show cause notice calling for an explanation from the petitioner. Learned counsel appearing on behalf of the petitioner has stated that the petitioner may be permitted to submit the detailed explanation to the show cause notice and the authority concerned may be directed to pass necessary orders thereafter.

4. Having regard to the above made submission, the present writ petition is disposed of with a direction to the petitioner to file his explanation to the show cause notice vide Memo No. 1075-2 dated 10.04.2015 (**Annexure 13**) before the Sub-Divisional Officer, Udakishunganj, Madhepura (Respondent No.7) within a period of four weeks from today. On such explanation being filed, the Sub-Divisional Officer, Udakishunganj, Madhepura (Respondent No.7) shall consider the explanation filed and pass orders in accordance with law.

5. It is needless to mention that before passing any order, the authorities concerned shall give an opportunity of hearing to the petitioner. The entire exercise shall be completed



as expeditiously as possible preferably within three months from the date of receipt of the explanation. The copy of the order passed shall be communicated to the parties and in case any adverse orders are passed, the petitioner is free to challenge the said order.

(A. Abhishek Reddy , J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	01.08.2023
Transmission Date	

