

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13648 of 2022

Dr. Naresh Prasad Son of Late Birendra Prasad, Resident of Mohalla- Nandlal Mishra Lane, Surkhi Kal, P.O.- Bhagalpur, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Director, Directorate of Social Welfare, Department of Social Welfare, Govt. of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Deputy Development Commissioner, Bhagalpur.
5. The Sub Divisional Officer, Bhagalpur.
6. Rashmi, Daughter of Dr. Naresh Prasad, Resident of Mohalla- Nandlal Mishra Lane, Surkhi Lal, P.O.- Bhagalpur, P.S.- Barari, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bibhakar Tiwary, Adv.

For the Respondent/s : Mr. Mithilesh Kumar Upadhyay, AC to GP-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-05-2023 The present writ petition has been filed seeking the following relief:-

“1. To issue an appropriate writ preferably in the nature of mandamus commanding upon the respondent authorities to take necessary steps for appointment of the daughter of the petitioner namely Rashmi (Respondent No. 6) as legal guardian of the disabled son of the petitioner namely Mintu.”

At the outset, the learned counsel for the Respondent-State has referred to the counter affidavit, filed in the present



case on behalf of the Respondents No. 3 to 5, wherein it has been submitted that the meeting of the Local Level Committee was held on 22.10.2022 under the Chairmanship of the District Magistrate, Bhagalpur, but the petitioner did not participate in the said meeting, hence, no decision could be taken with regard to appointment of the daughter of the petitioner as legal guardian of the disabled son of the petitioner, however, it has been proposed that a fresh meeting be held so that the case of the petitioner can be considered.

In view of the aforesaid stand taken by the Respondent-State, I direct the District Magistrate, Bhagalpur, to convene a meeting of the Local Level Committee, within a period of six weeks from today, before which the petitioner shall appear, upon notice, with requisite documents, whereupon the said Committee shall take a final decision with regard to the aforesaid grievances of the petitioner, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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