

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15300 of 2022

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Upender Kumar Paswan S/o Kishundeo Paswan, Resident of Village -
Mehiyan, Gurukul Mehiyan, Mehian, P.O. - Gurukul, P.S. - Chapra Mufasil,
Saran, District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department Government of Bihar, Patna.
3. The Chief Engineer, North, Road Construction Department, Patna.
4. The Superintending Engineer, Road Construction Department Saran Road Circle, Hajipur, District- Vaishali.
5. The Executive Engineer, Road Division, Chapra.
6. The District Magistrate, Saran at Chapra.
7. The Sub-Divisional-officer, Sadar, Chapra.
8. The District Supply Officer, Saran at Chapra.
9. The Executive Engineer to the Government of India, Ministry of Road Transport and Highways (S and R) (P and B) Section), Transport Bhawan, 1, Parliament Street, New Delhi - 110001.
10. The Chief Divisional Retail Sales Manager, Indian Oil Corporation Limited, Divisional Office, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Ranjan
For the Respondent/s : Mr.Uday Shankar Sharan Singh (GP-19)

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

3 03-07-2023 Learned counsel for the petitioner stated that respondent no. 6 has passed the impugned order in a very cryptic manner without giving any show cause notice seeking any clarification from the Act. It is further stated that in case the authority had any doubt or query, he ought to have put the petitioner on notice and sought clarification for which the



petitioner was eveready.

Learned counsel for the petitioner also stated that fresh representation was given to respondent no. 6 to reconsider the issue once again on 26.08.2022.

Learned counsel for the respondent stated that District Magistrate, Saran may be directed to reconsider the issue on its own merit and pass a reasoned order duly taking into account of the representation given by the petitioner.

Having regard to the above impugned order is set aside and the matter is remanded back to the respondent no. 6 to consider the representation dated 26.08.2023 made by the petitioner and pass a reasoned order. It is needless to say that before passing any order the petitioner shall be given an opportunity of hearing. It is further directed that respondent no. 6 shall pass necessary order as expeditiously as possible preferably, within a period of six weeks from the date of receipt of the copy of this order.

Accordingly, the present petition stands allowed.

(A. Abhishek Reddy , J)

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