

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5115 of 2020

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Suresh Rabidas Son of Late Nesho Rabidas Resident of Makandapur, P.S.-
Shahakund, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Panchayat Raj Department,
New Secretariat, Patna.
2. District Magistrate Bhagalpur.
3. District Panchayat Raj Officer Bhagalpur.
4. Block Development Officer Goradih, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pratap Sharma, Adv.
For the Respondent/s	:	Mr.P. N. Shahi (AAG6)
	:	Mr.Sanjeet Kumar Singh, AC to AAG6

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-03-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Counsel for the petitioner fairly submits that after remanding back the order, passed by the District Magistrate by the Commissioner in appeal, the District Magistrate has passed order afresh in appeal which has been challenged before this Court i.e., order dated 20.04.2017, counsel himself admits that the statutory appeal lies against the Commissioner.

3. In this view of the matter, the present writ application is hereby disposed off, directing the petitioner to avail remedy before the Commissioner and the appellate authority is directed to pass order on the appeal filed by the



petitioner within 90 days from the date of filing the same. Since general election of Lok Sabha, 2024 has been notified, therefore, 90 days shall be counted after end of the election.

4. However, delay, if any, in filing the appeal is directed to be condoned.

(Dr. Anshuman, J.)

Prakashmani/-

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