

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11864 of 2023

Md. Salam S/o Md. Aziz, Resident of Mohalla- Kisunbagh, Mohammad Nagar, Gali No.- 1, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Karmik and Administrative Department, Govt. of Bihar, Patna.
2. The Collector, West Champaran at Bettiah.
3. The Circle Officer, at Bairiya, District- West Champaran.
4. Civil Surgeon of West Champaran, at Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1, Advocate

For the Respondent/s : Mr.Md. Nadim Seraj (GP- 5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 19-02-2024 The present writ petition has been filed seeking the following reliefs:-

"1.I. For issuance of a writ in the nature Certiorari, for quashing /set aside the order dated 07.7.2023 passed by the respondent no. 3, the Circle Officer, Bairiya, District-West Champaran through the Letter No. 414 dated 07.7.2023.

II. For direction to the respondent for constitute an Enquiry Team for verification fake date of birth."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 07.07.2023, by filing appropriate petition before the Collector, West Champaran at Bettiah, however, seeks some interim protection, regarding recovery being made



from him on the head of excess amount of salary paid to him, during the interregnum period.

3. Having regard to the limited prayer made by the Ld. Counsel for petitioner, I deem it fit and proper to grant liberty to the petitioner to file appropriate petition, before the Collector, West Champaran at Bettiah, against the aforesaid order dated 07.07.2023, within a period of two weeks from today, which shall be considered by the Collector, West Champaran at Bettiah, in accordance with law, and a reasoned and a speaking order shall be passed thereon within a period of eight weeks, thereafter and till then no coercive steps shall be taken against the petitioner to recover the excess amount of salary paid to the petitioner.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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