

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3022 of 2019

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Nageshwar Singh S/o Raghunath Singh Resident of Village Rampur ,P.S
Sidhwaliya District Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary Government of Bihar Old Secretariat, Patna
3. The Secretary Rural Development Department Old Secretariat Patna
4. The Commissioner, Saran at Chapra
5. The District Magistrate, Gopalganj
6. The Additional Collector, Gopalganj
7. The Sub Divisional Officer Gopalganj
8. The Circle Officer Barauli, Gopalganj
9. Mahadev Thakur, S/o Late Jamuna Thakur, Resident of Village Rampur, P.S
Sidhwaliya District Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Singh, Advocate Mr. Manish Kumar Singh, Advocate Mr. Kundan Kumar, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam (AAG-12)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-02-2025 Heard Learned Counsel for the petitioner and Learned
Counsel for the State. Learned Counsel for private respondent
no.9 also appears in this case after receiving the notice.

2. The present writ petition has been filed for
quashing the order dated 29.11.2018 passed by the Additional
Collector, Gopalganj (Public Grievance Redressal Officer),
letter No. 41511-09321 (annexed as Annexure-3).

3. Learned Counsel for the petitioner submits that in



this case *vide* order dated 18.02.2019, operation of the impugned order dated 29.11.2018 remain stayed. Counsel submits that the Additional Collector, Gopalganj has passed order in favour of the private respondent by which petitioner has been adversely affected. In proceeding, petitioner had not even added as party before the authority under the Bihar Public Grievance Redressal Act, 2015 and order has been passed behind his back.

4. Learned Counsel for the State submits that petitioner has remedy to prefer second appeal under Bihar Public Grievance Redressal Act, 2015 as mentioned in the order itself. But he fairly submits that it transpires from Annexure-3 that order has been passed behind the back of the petitioner.

5. Learned Counsel for private respondent no.9 fairly submits that it is true that petitioner was not added as party, but the wrongful act has been done by the petitioner as he has stopped the road and constructed gate on public road.

6. In the light of the submissions made by the parties, this Court without entering into the merit or demerit of this case, set aside Annexure-3 i.e. order dated 29.11.2018 passed by the Additional Collector, Gopalganj (Public Grievance Redressal Officer), letter No. 41511-09321 only due to the reason that this



order by which petitioner aggrieved has been passed without hearing him.

7. Accordingly, this writ petition is hereby allowed. Liberty is hereby granted to the private respondent no.9 that he may sue against the petitioner in accordance with law but in every such proceeding, he shall made party to the petitioner and then proceed before the appropriate forum. The concerned authority shall pass order after hearing both i.e. petitioner and private respondent no.9 in accordance with law of the land.

(Dr. Anshuman, J)

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