

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.700 of 2021

In

Civil Writ Jurisdiction Case No.270 of 2008

Pranav Kumar S/o Sri Maheshwar Prasad Resident of Mohalla-Near Shaligram Market, East Lakshmi Nagar, Post Office-Ram Krishna Nagar, Police Station-Ram Krishna Nagar, District-Patna, Presently Holding the Post of District Magistrate, Muzaffarpur.

... .. Appellant/s

Versus

1. Ram Sobhit Paswan, Son of Late Sukan Paswan Resident of Village-Chhapra Pahor, Post Office-Sunderpur, Police Station-Sakra, Block-Sakra, District-Siwan, At Present Working as Panchayat Sewak, Bandra Block, District-Muzaffarpur.
2. The State of Bihar through District Magistrate, Muzaffarpur.
3. The Deputy Collector in-Charge Legal Section, Muzaffarpur.
4. The Director,Panchayat Raj, Government of Bihar, Patna.
5. Sri Bindeshwari Ray, Block Development Officer, Sakra Block, Distt.-Muzaffarpur.
6. The District Panchayat Raj Officer, Muzaffarpur.
7. Sri Ram Lakhan Roy, Son of Late Fauzdar Roy, Resident of Village-Baji Bujurg Gram Panchayat, Post Office-Sunderpur, Police Station-Sakra, Block-Sakra, District-Muzaffarpur.
8. Sri Bhagwat Prasad Yadav Son of Sri Dukhan Roy, Member of then Executive Committee of Baji Bujurg Gram Panchayat, Resident of Village-Baji Bujurg, Post Office-Sunderpur, Police Station-Sakra, Block-Sakra, District-Siwan, At Present Working as Panchayat Sewak, Bandra Block, District-Muzaffarpur.
9. Sri Paras Roy, Son of Sri Dukhan Roy, Resident of Village-Baji Bujurg, Post Office-Sunderpur, Police Station-Sakra, Block-Sakra, District-Siwan, At Present Working as Panchayat Sewak, Bandra Block, District-Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pankaj Kumar Singh, Advocate
For the Respondent/s : Mr. Ajit Kumar, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 25-06-2025



We have heard Shri Ajit Kumar, learned counsel for the State, who has raised a grievance on behalf of the appellant that the impugned order dated 16.12.2021 is way too harsh.

2. It appears that the appellant, the then District Magistrate, Muzaffarpur had appeared before the learned Single Judge but was not in a position to explain about the stage of the case in which he had been summoned.

3. Mr. Ajit Kumar, learned Advocate has submitted that in fact his statement that he had taken over as District Magistrate only recently, was understood by the Bench to mean that since the litigation is of an earlier time, he was not in a position to state the details.

4. The counter affidavit in the matter has now already been filed.

5. The confusion arose only because earlier counter affidavit had been filed in the year 2008. The appellant did not have any idea that he would be confronted with the exact details of the stage of that case.

6. Considering the overall circumstances, we find the order to be harsh and stigmatic as well.



7. For the aforementioned reason, we waive the cost imposed upon the appellant and also direct that the order dated 16.12.2021 shall be not read against the appellant concerning his competence and efficiency.

8. The appeal stands allowed accordingly.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	26.06.2025
Transmission Date	

