

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.898 of 2018

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Arvind Kumar Son of Shiv Narayan Prasad Gupta Resident of Mohalla- Gola
Road Nawada, Police Station- Nawada town, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Rural Development, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The Deputy Development Commissioner, Nawada.
4. The Director, D.R.D.A. Nawada.
5. The Block Development Officer, Nawada Sadar, District- Nawada.
6. The Block Supply Officer Nawada Sadar, District- Nawada.
7. The Secretary, Justice Uday Sinha Judicial Enquiry Commission 12-13 Back Harding Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy
For the Respondent/s : Mr.Vikash Kumar -Sc11

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 23-07-2025

1. The Writ petition is filed for the following

relief:-

“For issuance of an appropriate writ order or direction for quashing the order dated 25.09.2017(signed on 05.10.2017) passed in Case No. Nawada/38/C.W.J.C./17 by the Hon’ble Chairman of Justice Uday Sinha Judicial Enquiry Commission (hereinafter referred as Judicial Commission) by which contrary



to the term and reference mentioned in paragraph no. 89 of the order of this Hon'ble Court dated 21.09.2015 in C.W.J.C. No. 5638 of 2011 and analogous cases and in the absence of any interim relief sought by the petitioner the Hon'ble Commission has rejected the case of the petitioner and in place of giving finding holding enquiry in terms of the term and condition given by the Hon'ble Court working without holding any enquiry that has to be done apart from the terms and condition mentioned in aforesaid order of this Hon'ble Court read with the provision of Commissions of Enquiry Act, 1952 (hereinafter referred as the Enquiry Act, 1952) be further give direction to the respondent no. 7 to make a judicial enquiry in terms of the reference mentioned in paragraph no. 89 of the judgment dated 21.09.2015 passed in C.W.J.C. No. 5638 of 2011 and analogous cases read with the provisions of the Enquiry Act, 1952."

2. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.



3. During the course of arguments, the Learned counsel for the petitioner restricted his arguments to pass a similar order as passed in C.W.J.C. No. 23701 of 2013 which was also filed against the order of Hon'ble Mr. Justice Udai Sinha Committee. In the said order this Court relied on the judgment in a batch of cases in C.W.J.C. No. 308 of 2013 and analogous matters, wherein this Court has permitted the petitioners to withdraw their Writ petition with a liberty to approach this Court afresh as and when the occasion arises in future. It was further decided that till a decision is taken by the State Government, the authorities shall refrain from taking any coercive measures against the petitioners.

4. Following the same reasoning, the Writ petitioner is permitted to withdraw the writ petition with a liberty to approach this Court afresh, as and when the occasion arises in future. Until a decision is



taken by the State Government based on the report of the Commission headed by Hon’ble Mr. Justice Udai Sinha in relation to recovery of the value of undisputed rice under the SGRY Scheme, the Respondents are directed not to take any coercive measures against the petitioner.

5. With the aforesaid directions, the Writ petition is disposed off.

6. Interlocutor Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29.07.2025
Transmission Date	N/A

