

(2020) 01 PAT CK 0292

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 909 Of 2020

Baidyanath Chaudhary @ Baidyanath Prasad Choudhary

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 20-01-2020

Acts Referred:

Bihar Right To Public Grievance Redressal Act, 2015 — Section 7

Citation : (2020) 01 PAT CK 0292

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Rajeev Ranjan, Bela Singh, Fakhruddin Ali Ahmad

Final Decision : Disposed Of

Judgement

1. Heard learned counsel for the petitioner and learned AC to AAG-12 for the State.

2. The petitioner has moved the Court for the following reliefs:

"(i) For directing and commanding the respondents to partly quash the letter no. 3175 dated 11.10.2019 (Ann-8) passed by the Additional Collector, Muzaffarpur in which he has specifically stated that the order dated 25.02.2013 (Ann-2) passed, in Consolidation Revision case 285/2011, by Director Consolidation, Government of Bihar, Patna, would be comply after re-enforcement of letter no. 54 dated 19.1.2018. (Ann-9)

(ii) And also for any other relief/relieves for which petitioner is found to be legally entitled under the facts and circumstances of the case."

3. Earlier for the same cause of action, the petitioner had filed CWJC No.15769 of 2019, which was disposed off by order dated 02.08.2019 with liberty to the petitioner to approach the Public Grievance Redressal Officer under the Bihar Right to Public Grievance Redressal Act, 2015 (hereinafter referred to as the 'Act'.

4. The present order, part of which is assailed in the present writ petition has

been passed in terms of the application filed by the petitioner before the Public Grievance Redressal Officer pursuant to the liberty given by the Court in its order dated 02.08.2019 passed in CWJC No.15769 of 2019.

5. Once the Court has not interfered in the cause and had given liberty to the petitioner to move under the Act and when the Act itself provides for appeal under Section 7 thereof, the Court is not inclined to interfere in the matter, both in view of the statutory appeal provided under the Act as well as the earlier order of the Court dated 02.08.2019 passed in CWJC No.15769 of 2019.

6. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file appeal under Section 7 of the Act. If such appeal is filed within two weeks from today, the appellate authority shall consider the matter on merits and pass appropriate order, in accordance with law.