

(2013) 07 JH CK 0003
In the Jharkhand High Court
Case No : Writ Petition (C) 2931 of 2013

Bhairo Raut

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 12-07-2013

Acts Referred:

Citation : (2013) 3 AJR 793

Hon'ble Judges : P.P. Bhatt, J

Bench : Single Bench

Advocate : Onkar Nath Tiwary and Paras Kr. Sinha, for the Appellant; V.K. Prasad, for the Respondent

Judgement

P.P. Bhatt, J.—The petitioner, by way of filing the present writ petition under Article 226 of the Constitution of India, has prayed for quashing and setting aside notice dated 20-4-13 (Annexure-4) i.e. show-cause notice issued by the Circle Officer, Jarmundi. Heard the learned counsel for the petitioner as well as learned counsel appearing on behalf of respondent and perused the materials placed on record.

2. From perusal of notice dated 20-4-2013 (Annexure-4), it appears that the petitioner was asked to submit his explanation in pursuance to the said notice. According to the learned counsel for the petitioner, he has submitted his explanation before respondent No. 4 i.e. Circle Officer, Jarmundi in response to the notice dated 20-4-2013. But till date no decision has been taken by the respondent No. 4. The petitioner also submitted representation to the Deputy Commissioner, Dumka. But there is no response.

3. Since the petitioner has submitted his explanation in respect of the notice received by him, the Circle Officer, Jarmundi—respondent No. 4, is directed to consider the same and take a decision in accordance with law. The Circle Officer, Jarmundi is directed to give an opportunity of hearing before taking any final decision. It is further clarified that status quo regarding possession shall be

maintained till the final decision is taken. Accordingly, this writ petition stands disposed of.