
(2022) 03 PAT CK 0033

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 21226 Of 2021

Shiv Chand Ram @ Sheo Chand Ram

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 21-03-2022

Acts Referred:

Citation : (2022) 03 PAT CK 0033

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Ravi Kumar, Subash Prasad Singh

Final Decision : Disposed Of

Judgement

1. That this writ application has been preferred on behalf of petitioner above named for issuance of an appropriate writ or direction in the nature of certiorari to quash

a. the order dated 24-09-2020 contained in Annexure- 7 issued under the signature of General Manager. District Industries Centre, Aurangabad by which recommendation to disburse to second instalment has been cancelled of Rs. 5,00,000/- vide letter no. 511/ G.O.K. dated 19-08-2020 on the ground that petitioner and his son Saurav Kumar both are the beneficiary of the loan scheme.

b. letter dated 19-04-2021 contained in Annexure- 9 issued under the signature of General Manager. District Industries Centre, Aurangabad, which is for recovery of 1st Instalment of Rs. 2,50,000/-.

After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to respondent no.5, the Nodal Officer, Industry Department (Technical Development), Aurangabad to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for

redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of on the following terms:-

- (a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);
- (b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;
- (c) The order assigning reasons shall be communicated to the petitioner;
- (d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;
- (f) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;
- (g) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;
- (h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;
- (i) We have not expressed any opinion on merits. All issues are left open;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.