
(2020) 12 PAT CK 0280

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 17927 Of 2018

Ujjawal Kumar And Anr

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 01-12-2020

Acts Referred:

Citation : (2020) 12 PAT CK 0280

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

Bench : Division Bench

Advocate : Alka Verma, Anjani Kumar

Final Decision : Disposed Of

Judgement

Petitioner has prayed for the following relief(s):-

â??That the petitioners have filed a present Public Interest Litigation for a direction to the respondent for appointing the director of the Social Audit

Society and for making the Social Audit Society fully functional so that the social audit of MGNREGA (Mahatma Gandhi National Rural Employment

Guarantee Scheme) as well as social Audit of other welfare Schemes may be conducted periodically as per the direction of the State Government and

to fructify the objective of the Social Audit Society in doing continuous public vigilance in order to ensure accountability in the implementation of the

projects, laws and policies of MGNREGA and other welfare schemes and for any other relief/reliefs, direction/directions as the Honâ??ble Court

may deem fit and proper in the facts and circumstances of the case.â??

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the

respondent no. 3 to consider and decide the representation, which shall be filed

by the petitioner within a period of four weeks.

Learned counsel for the respondents states that if such representation is filed with the time aforesaid, respondent no. 3 namely, the Principal

Secretary, Department of Social Welfare, Bihar shall personally examine and decide the same in accordance with law expeditiously and positively

within a period of two months from the date of receipt of such representation along with a copy of this order.

No other submission is made on behalf of the parties.

In view of the undertaking given by the learned counsel for the State, petition is disposed of directing respondent no. 3 namely, the Principal Secretary,

Department of Social Welfare, Bihar to personally examine and decide the representation in accordance with law expeditiously and positively within a

period of two months from the date of receipt of such representation along with a copy of this order.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree

to meet in person i.e. physical mode.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

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.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the

parties.

Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

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