

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17263 of 2014

Manoj Kumar Mishra S/o Sri Srikant Mishra Resident of Mohalla ka
Chauk, Chand Chaura, P.S. Civil Lines, District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Mahatama Gandhi National Rural Employment Guarantee Scheme, MGNREGA, Rural Devel
3. The District Magistrate, Collectorate, Kachahari Road, Gaya.
4. The Deputy Development Commissioner, Gaya, Sri Krishna Path, G.B. Road, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Adv.
Mr. Nilanjan Chatterjee, Adv.
Mr. Ujjwal, Raj, Adv.
Mr. Anirvan Choudhari, Adv.
Mr. Sarvjit Kumar, Adv.
For the Respondent/s : Mr. Sunil Kr. Mandal, Adv.

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 29-01-2026

1. The Writ petition is filed in the nature of Certiorari for quashing the Letter contained in Memo No. 2048 dated 19.08.2014, issued by the Deputy Development Commissioner, Gaya (respondent No. 4), whereby petitioner was directed to deposit an amount of Rs. 8,06,866/- out of the alleged useless expenditure of Rs. 38,08,106/- in the bank account of Gram Panchayat Salora and to send the receipt to Rural



Development Agency, Gaya within one week from the date of receipt of the letter. It was further stated that in case the amount was not deposited within the stipulated period, the same would be recovered through certificate proceedings and the services of the petitioner would be terminated. Challenging the said memo, the present Writ petition has been filed.

2. The brief facts as culled out from the Writ petition are that the petitioner was appointed on contract basis as Panchayat Rozgar Sevak (PRS) on 01.01.2010, later he was transferred to Paraiya Block on 30.08.2013. The petitioner took charge of the files on different dates from 18.10.2013 to 11.06.2014. Respondent No. 4 issued a show cause notice dated 04.06.2014 to the petitioner seeking clarifications on the ground that 15 projects were not properly dealt by him, alleging irregularities therein. The petitioner submitted his reply to the show cause notice on 17.06.2014. In turn, on 19.08.2014, the petitioner was directed to deposit an amount of Rs. 8,06,866/.



3. Pursuant to it, the petitioner made representations to respondent No. 4 on 25.08.2014 and 29.08.2014 i.e. Annexure-6 and 6/1 respectively. In spite of it, no speaking order has been passed by the respondents.

4. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents. Perused the record.

5. The Learned counsel for the respondents contended that the respondents may be directed to pass appropriate orders, based on the representation filed by the petitioner.

6. The records disclose that the representations of the petitioners are still pending before respondent No. 4. The dispute relates to question of facts to be decided by the respondent No. 4. Therefore, without going into the merits of the case, this Court directs respondent No. 4 to consider the representation of the petitioner and to pass an appropriate/speaking order within a period of two months from the date of receipt of this order.



7. With the aforesaid observations, the
Writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.01.2026
Transmission Date	

