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IN THE HIGH COUFT OF JUDICATURE AT PATNA

( Civil Writ Jurisdiction )

C.W.J.C.No.\_\_\_\_\_of 2013

Jagjivan Yadav ....

Petitioner

Versus

The State of Bihar & ors....

Respondents.

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1. Writ petition with Affidavit.

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2. Annexure-1 (Series ):

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3, VAKALAT HAMA.

#### IN THE HIGH COURT OF JUDICATURE AT PATHA

(Civil Writ Jurisdiction)

C.N.J.C.No. of 2013

Jagjivan Yadav ...

Pet it ioner

Versus

The State of Bihar & ors....

Respondents.

#### SYNOPSIS

That the writ petitioner seeks indulgence of this Hon'ble Court for following mm main reliefs :-

- j) For direction upon the respondents to provide relief to the petitioner's wife as peper the list prepared by th then committee.
- ii) For stopping the respondents to prepare or te approprie any other list of beneficiaries

excluding the name of the petitioner's wife.

iii) For providing relief to the petitioner's wife as he was highly affected by the flood

aforesaid.

iv) For any other relief(s) to which petitioner may be found entitled in the facts and circumstances in this case.

## Date of Events :-

Annexure-1: The true photocopy of the proceeding (Series)

dt. 14.2.09 and 16.02.09 alongwith list.

Hence this writ application.

# IN THE HIGH COURT OF JUDICATURE AT PATHA

( Civil Writ Jurisdiction )

C.W.J.C.No.\_\_\_\_\_of 2013

In the matter of an application Under Article
226 of the Constitution
of Indias

And

In the matter of :-

Jagjivan Yadav son of Late Bangali Yadav.

Resident of village-Pipra Karoti,

P.S. Udakishunganj, District-Madhepura.

...Petitioner

Ve raus

- 1. The State of Bihar, through the Chief Secretary.
  Old Secretariat, Bihar, Patna;
- 2. The Principal Secretary, Department of Disaster
  Management, Gowernemtn of Bihar, Patna;

- 3. The Commissioner, Koshi Division, Saharsa;
- 4. The District Magistrate, Madhepura,
- 5. The Block Development Officer, Udakishunganj, District-Madhepura;
- 6. The Mukhiya, Gram Panchayat, Pipra Karoti, P.S.
  Udakishunganj, District-Madhepura;
- 7. The Member of Panchayat Samiti, Gram Panchayat,
  Pipra Karoti, Block, Udakishunganj, District-Madhepura.
- 8. The Panchayat Secretary, Gram Panchayat, Pipra Karoti,
  Block-Udakishunganj, District-Madhepura.

.... Respondents.

TO.

The Hon'ble Ms.Justice Rekha M.Doshit, the Chief Justice of the High Court of Judicature at Patns, and Her Companion Justices of the said Hon'ble Court.

The humble petition on behalf of the petitioner above named;

- 1. That writ petitioner seeks, indulgence of this Hon'ble Court following main reliefs:
  - provide relief to the petitioner's wife as per the list prepared by the then committee.
  - ii) For stopping the respondents to prepare

    or to approve any other list of beneficiers

    excluding the name of the petitioner's
  - iii) For providing relief to the petitioner's wife as she was highly affected by the the flood aforesaid.
    - iv) For any other relief(s), to which petitioner may be found entitled in the facts and circumstances in this case.
  - 2. That the writ petitioner is interalia based on the following main grounds:
    - i) For that when the list of benificiaries

persons the flood in the year 2008 it cannot he replaced by a list containing the name of the persons who are closer to the present Mukhiya and others respondents.

- is not sustainable.
- iii) For that action of the Respondents is based on favourisism.
  - iv) For that the petitioner is entitled to relief
    as claimed.
- 3. That the petitioner is the citizen of India residing within the territorial jurisdiction of this Hon ble Court.
- That in the year 2008 due to devestiting fixed most of the areas of the Koshi Division, Saharsa was highly affected and the gram panchayat Pipra Karoti comes under the flood affected area.
- g. That thereafter under the Scheme of the Government a list of benificiaries was prepared. Gram

Gram Panchayat wise.

That for the benificiaries after servey a list
was prepared by the Anusharavan Committee of Gram Panchayat
Pipra Kazoti in presence of the than Mukhiya, Panchayat
Secretary and others Wardwise. The petitioner wants to bring
the relevant portion of the proceeding of the said
Anushravan Samiti of the Gram Panchayat Pipra Kazoti
dated 14.2.07 and 16.2.2009 for kind perusal as well as
also to bring the list of the Wazd No.1 as the petitioner;
wife belongs to this ward.

The true photocopy of the proceeding dated 14.2.09 and 16.02.09 alongwith the list of benificiaries belonging to Ward No.1 is Ammexure-1 Series.

That it is stated and submitted that the list of the benificiaries is duly signed by the than Mu Mukhiya and others but present Mukhiya and others on

on account of political rivalry are excluding the name of the petitioner's wife and others in a new list.

- 8. That the action of the respondent is based on flavouritism, arbitrary and against all campus of justice.
- and efficacious remedy than to move this Hon'ble Court.

  That the petitioner has not moved this

  Hon'ble Court any time earlier than this in the instant

  matter.

Lordships may gradiously be pleased to

issue rule NISI, Calling upon the respondents

to show cause and if the cause is being

shown otherwise & your Lordships may gradi
ously be pleased to allow this application

by way of granting reliefs as prayed in

paragraph-1 of the petition at the admission

stage itself.

## and/or

Be further pleased to pass such other order(s) as your Lordships may deam fit and proper.

And, for this, the petitioner shall ever pray.

#### Affidavit

- I, Jagjivan Yadav, aged about years,
  son of Late Bangali Yadav, resident of village-Pipra Karoti,
  p.s.udakishunganj, District-Madhepura, do hereby solemnly
  affirm and state as follows:-
- 1. That I am petitioner in this case and as such am fully acquainted with the facts and circumstances of the case.
- That the contents of this writ petition have been read over and explained to me in Hindi and which I have fully understood and they are true to my knowledge.
- 3,4,5,7,8,9,10 are correct and true to my knowledge, those statement made in paragraphs 6

records of the case, and rest are by way of submissions.

4. That the annexures are photo/true copies of their respective originals.

are based on information, derived from the

-Annexwel-1

(6-119-14.02.09 प्याप्त राम प्रिया कर्रामी कामल ७६।-विश्वन्त्रोत जिला मर्वपुरा, के ज्ञाने अहि है जियोगिय वर्ष छद्दर वि छद्दर्भा की स्त्रीत्म 1841 VINI & 18 404012 916 311461 में अभिग्रस्त वारो तथा मकानी का जिने अभि इसा जिसकी खरान स्मेश्वरण हैते - पार कि करांगी का प्राप्त के पार्गण कि निर्माप मेठड मुख्या भी के अहमहामा में दिनांद्र 16.02.09 के प्रवेहन 11. AM में निर्मा दिन किना ठाला है जिस कैंडड में सभी व्यक्त सक्तां की विस्तरामान निन्दु-(1) पंचालत स्तरीय स्वर्मण के शत्रप्रिश मान्या) BENIZIK

वाह सदस्यों का मार्ग ि सुफलाल भादन H & m/m 2/100 2) यानिकार मंडल (3) कालमा द्रशी (4) Parasirio Mie Va99179 17-16

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	හ 	पिन्दु नंडल	स्या चन्द्रेव मंडल		
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	12	बालदेव यादेव	उचित यादव	-1	
	13	यानः पादव	ानिचर यादव		
	14	इनो भादव	निचर यादव	-1	
	15	दिलीप मंडल	खोजल मंडल	-1	
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	22	रमेश यादव	गोनर यादय	_	
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