

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1154 of 2023

Petitioner :- Harisharan Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Panchayat Raj Civil Sectt. Lko And 4 Others

Counsel for Petitioner :- Vishnu Kumar Srivastava, Siddharth Tripathi, Upendra Kumar Sagar

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel appearing for the State-respondents and Sri Pankaj Gupta, learned counsel appearing for the Village Panchayat concerned.

2. This petition filed in public interest assails the order dated 26.08.2023, passed by the District Magistrate, Bahraich which appears to have been passed in furtherance of an inquiry held on the basis of complaint made by the petitioner. The complaint made by the petitioner was duly verified and some financial irregularity was found proved against the Gram Pradhan. The Gram Pradhan on being confronted with the notice replied and admitted his responsibility. It was prayed by the Gram Pradhan that he being illiterate was unable to keep a track of the expenditure and some anomaly crept in. He also prayed that he shall not indulge into any such activity in further. The financial loss as was caused on account of some dereliction of duty has also been recovered jointly from the erring officials including Gram Pradhan. Thus, the case before us is a case where the complaint of the petitioner was duly attended and necessary inquiry was held. The role of the petitioner ends with the conclusion of the inquiry.

3. There is no locus of the present petitioner to have assailed the order passed by the District Magistrate on conclusion of the proceedings. Public Interest Litigation is not an adversarial litigation. Right of an aggrieved person and locus to maintain PIL are well demarcated. The petitioner appears to have overstepped the scope of Public Interest Litigation. However, taking a lenient view, we do not find it appropriate to issue any further direction.

4. The PIL is accordingly **dismissed**.

Order Date :- 13.12.2023

Sanjay