

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16988 of 2008

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Navin Kumar Singh Son of Late Ramroop Singh, Resident of Village - Sinuara,
Police Station - Bahadurpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Darbhanga.
3. The Commissioner, Darbhanga.
4. The Block Development Officer-cum-Programme Officer, Narega, Hanuman Nagar, District - Darbhanga.
5. Md. Usman Haider, Father's Name Not Known The Panchayat Secretary, Gram Panchayat Raj, Sinuara, Block Hanuman Nagar, District - Darbhanga.
6. Roban Paswan Son of Ganaur Paswan The Mukhia of Gram Panchayat Raj Sinuara, Block - Hanuman Nagar, District - Darbhanga.
7. Sujeet Kumar Singh Son of Ram Prit Singh Member of Ward No. 1, Gram Panchayat raj Sinuara under Hanuman Nagar Block, District - Darbhanga.
8. Additional Director General of the Vigilance Department.
9. Principal Secretary of Rural Development Department.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Singh, Adv.
For the Respondent/s : Mr. Ramakant Sharma, (GP12)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

Date: 20-02-2015

Heard learned counsel for the parties.

Having regard to the fact that the affidavits have now been filed by both the parties on behalf of the Vigilance Department as also on behalf of the Rural Development Department and the admitted position that the First Information Report has already been lodged for the corrupt practices found by the Vigilance Department in its report submitted earlier, this Court would not like to make any further observation on the aspect that the Vigilance Department must

now proceed to investigate the case in the light of the responsibility sought to be fixed in the counter affidavit filed by the Rural Development Department. In other words, not only small one but also even any one at the higher level, howsoever big he may be, is found involved, he or they should not be spared by the Vigilance Department on the basis of its own material collected in course of investigation.

Reverting back to the relief sought in this writ application, as the payment now definitely has become disputed, this Court would refrain from giving any direction for making payment either to the petitioner or any other person specially when there are unimpeachable evidence at present on record by way of report of the Vigilance Department that huge loot of public fund was made in execution of the scheme, in question.

That being so, if the petitioner wants to claim any money for alleged work don by him, the remedy for him will be only before the appropriate civil court.

With the aforementioned observation, this application is disposed of.

(Mihir Kumar Jha, J)

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