

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15095 of 2014

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1. Ajay Kumar Patel Son of Ram Prasad Singh Resident of Village- Datiaon, P.S. Bhabhua, Distt.- Kaimur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, State of Bihar, Patna
3. The Principal Secretary, Panchayati Raj Deptt., State of Bihar, Patna
4. Collector, Kaimur at Bhabhua
5. District Gram Panchayat Raj Officer, Kaimur
6. Sharwan Kumar Patel Son of Late Kripa Narayan Singh the Mukhiya of Gram Panchayat Raj Betri, P.S. Bhabhua, Distt.- Kaimur
7. Wakil Paswan, Panchayat Secretary, Gram Panchayat Raj Betri, P.S.- Bhabhua, Distt.- Kaimur
8. Bipin Bihari Lal, Panchayat Secretary, Gram Panchayat Raj, Betri, P.S. Bhabhua, Dist.- Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms Archana Mishra

For the Respondent/s : Mr. GA-1 S.K.SHARMA

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-05-2015

The petitioner claims to be a resident of village Datiaon in the district of Kaimur. He and other villagers are said to have filed a representation on 24-10-2013 before the District Collector, Kaimur(Annexure-1), pointing out that the Mukhiya of the Gram Panchayat, 6th respondent and two Panchayat Secretaries, respondent nos. 7 and 8 have misappropriated fund in the execution of installation of pumps etc. His grievance is that no steps have been taken thereon

by the Collector so far. He has prayed for a direction to cause enquiry into the matter, and then to take action.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. In his representation dated 24-10-2013 the petitioner and others made allegations against respondent nos. 6, 7 and 8. The truth or otherwise of the same needs to be enquired into by the District Collector himself or through the subordinate officer after due notice to them. This Court cannot direct the enquiry to be caused against respondent nos. 6, 7 and 8, much less to punish them unless the representation is disposed of.

4. We, therefore, dispose of the writ petition, directing the District Collector, Kaimur, to examine the representation said to have been submitted by the petitioner and take steps in accordance with law. Depending upon the findings of fact, any steps shall be taken only after putting respondent nos. 6, 7 and 8 on notice.

B.Roy/-

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

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