

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18074 of 2015

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Smt. Kunti Singh, W/o Shri Avadhesh Singh, resident of Village- Lao, P.S.-
Tekari, District- Gaya, At present Mukhiya of Gram Panchayat, Lao,
Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through the Principal Secretary, Department of Rural
Development, Govt. of Bihar, Patna, Bihar
3. The District Magistrate, Gaya.
4. The Block Development Officer, Tekari, Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
Mr. Sanjeev Kumar, Advocate

For the Respondent/s : Mr. Partha Sarthi, GA-11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 27-11-2015 Learned counsel is permitted to correct the serial number
of the beneficiaries appearing in paragraph-4 of the writ petition
and the party position of the respondents during the course of the
day.

Heard Mr. Sanjeev Kumar, learned counsel appearing for
the petitioner and Mr. Prabhat Kumar, Assisting Counsel to G.P.-
11 for the State.

The petitioner has questioned the list prepared in relation
to the beneficiaries under the Indira Awas Yojana for the financial
year 2015-16. It is the complaint of the petitioner which stands
translated in paragraph-4 of the writ petition that the list suffers
from a number of irregularities and although the attention of the
Block Development Officer, the concerned Assistant as well as the



Observer under the Indira Awas Yojana has been invited by the petitioner by series of representation but the same has gone unheeded. According to the petitioner the beneficiaries appearing at sl. no. 03 namely, Sughiya Devi wife of Ram Das, sl. no.6 namely, Rinku Devi wife of Navlesh Das and sl. no. 7, namely, Rajiya Devi wife of Rajballav Das have earlier obtained similar benefits during the financial year 2009-10 in the name of Bedami Devi wife of Ram Das, Meena Devi wife of Navlesh Das and Pachiya Devi wife of Rajballav Das. According to the petitioner this fraud is evident from the voter list of the Panchayat Election of year 2011 where their names appear at sl. Nos. 202, 199 and 186. It is the complaint of the petitioner that by faking the names these beneficiaries are trying to derive double benefits.

A second complaint has been made in relation to the persons appearing at sl. nos. 08, 11, 16, 17, 18, 22 and 24 who according to the petitioner are landless persons and are thus not entitled to any benefit in view of the stipulation present at paragraph 3.2(gh) of the letter no. 187102 dated 03.6.2014 of the Principal Secretary, a copy of which is placed at Annexure-1 to the writ petition. Learned counsel for the petitioner with reference to the complaints filed by the petitioner enclosed at Annexure-3 series, Annexure-4 and Annexure-5 has submitted that although the attention of the concerned authorities including the Principal Secretary having been drawn towards these irregularities but no

steps have been taken and hence the writ petition.

Having heard learned counsel for the parties and considering the nature of grievance raised herein, this Court deems it fit and proper to dispose of the writ petition with a liberty to the petitioner to file a comprehensive representation before the District Magistrate, Gaya along with supportive details and supportive documents and any such complaint so filed by the petitioner should be considered and disposed of by the District Magistrate, Gaya in accordance with law and after giving an opportunity of hearing to the petitioner as well as the alleged beneficiaries against whom the complaints have so been made.

If the complaint made by the petitioner bears substance then the matter is very serious for no one can be permitted to derive undue benefits under any welfare scheme at the cost of public exchequer.

Since the matter relates to a beneficial scheme and involves public money hence an expeditious disposal preferably within three months of filing of such representation would be appreciated.

S.Sb/-

(Jyoti Saran, J)

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