

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1479 of 2015

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1. Shahjanha Khatoon Wife of Md. Muslim, Resident of Village-Kharjambha, Ward No. 3, P.S Mahnar District- Vaishali. At present elected Chairman of Nagar Panchayat Mahnar, District- Vaishali.
 2. Ramesh Kumar, Son of Sri Ramjanam Rai, Resident of Village-Kharjambha, Ward No. 2, P.S. Mahnar District- Vaishali. At present Deputy Chairman Nagar Panchayat Mahnar, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Urban Development and Housing Department, Government of Bihar, Patna.
3. The Secretatry, Chief Minister Secretariat Bihaar, 4 Desh Ratna Marg, Patna.
4. The District Magistrate, Vaishali District Hajipur at Vaishali.
5. The Superintendent to Police, Vaishali.
6. Smt. Anupa Kumari Wife of not known at present posted, as Executive officer, Nagar Panchayat Mahnar, District Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Adv

For the Respondent/s : Mr. Mithilesh Kumar Pathak SC-7

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 23-02-2015 Heard learned counsel for the parties.

Mr. Mithilesh Kumar Pathak, learned counsel appearing on behalf of the State points out that this is a frivolous case, inasmuch as, the petitioners are Ward Councillors who are assailing the act and omission of the Executive Officer, Nagar Panchayat, Mahnar, Vaishali, by way of service matter.

In the considered opinion of this Court, this writ application is ill advised and wholly misconceived.

If the petitioners had any grievance as with regard to embezzlement of fund by the respondent no. 6, the remedy for them would be to initially approach the authorities of the Executive Officer and thereafter file Public Interest Litigation.

This writ application by way of relief under the service matter against respondent no. 6 was wholly ill advised and misconceived.

It is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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