

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15041 of 2014

1. Kumar Awadhesh Sharma son of Shri Raj Narayan Singh resident of village Srikrishna Puri Colony, P.S.: Jehanabad, District: Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Secretary, Rural Works Department, Government of Bihar, Patna
3. The Engineer-in Chief, Rural Works department, Government of Bihar, Patna
4. The Executive Engineer, Works Division, Rural Works Department, Jehanabad
5. Assistant Engineer, Rural Works Division-II, Rural Works Department, Jehanabad
6. The District Magistrate, Jehanabad

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey

For the Respondent/s : Mr. Aag-6 Anjani Kumar

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 04-05-2015

This writ petition is filed in public interest praying for the following reliefs:

“ (i) For the issuance of a writ in the nature of a writ of mandamus or any other appropriate writ, order or direction, commanding the respondent authorities, more particularly Respondent nos. 1 and 2, to initiate investigation into serious financial irregularities committed to the construction of

Roads under the different schemes and constructed by the Rural Works Department, Government of Bihar, in the District of Jehanabad.

(ii)For the issuance of a writ in the nature of a writ of mandamus or any other appropriate writ, order or direction, commanding the Respondent to institute appropriate proceedings against the guilty officials in-as-much-as the issue involves the swindling of public money running in several crores of Rupees in the implementation of different projects in the District of Jehanabad.”

The petitioner contends that he is affiliated to a political party and having come to know that serious irregularities have taken place in the construction of roads undertaken by the Government, he made a representation, but no enquiry has been held thereon. Therefore, the petitioner prays for direction to cause appropriate investigation into the matter and to punish the guilty.

The respondents have filed a detailed counter-affidavit raising serious objection on the very nature of the allegations. It is stated that the petitioner is in the habit of filing writ applications for extracting money from the Contractors. The direction to verify the correctness of the allegations is also indicated.

Of late, the Court is subjected to gross misuse in the name of public interest litigation. If there is any lapse on the part of the Government with reference to particular item of work, certainly attention can be drawn for necessary verification within the limits of law. From the reliefs claimed in the present case, which have been extracted above, it becomes clear that the petitioner assumed to himself, the role of running the entire department, if not Government and he wants investigation into all the Government works. We take a serious exception to the irresponsible manner in which the writ petition is filed. Except that the petitioner has the intention to bring pressure on some persons through the Court, the entire writ petition lacks details or particulars.

The writ petition is dismissed. The petitioner is warned that if he indulges in similar nature of litigation, serious punitive action will be initiated for wasting the time of the Court.

B.K.Roy/-

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

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