

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6645 of 2016

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1. Ranjit Kumar, Advocate of the Patna High Court, Patna S/o Sri Jitwahan Sharma Resident of Road No.2, East Patel Nagar, Near Gandhi Murti, P.S. Shastri Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Department of Planning and Development, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna.
4. The Chief Engineer, Local Area Engineering Organization, Vikash Bhawan, New Secretariat, Patna.
5. The Superintending Engineer, Local Area Engineering Organization, Vikash Bhawan, New Secretariat, Patna.
6. The Executive Engineer, Local Area Engineering Organization, Work Division No.1, Vikash Bhawan, Collectorate, Patna.
7. The Junior Engineer, Local Area Engineering Organization, Work Division No.1, Vikash Bhawan, Collectorate, Patna.
8. The Divisional Commissioner, Patna Division, Patna.
9. The District Magistrate, Patna.
10. The Director General of Vigilance, Bureau of Investigation, 6th Floor, Circular Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey, Adv.
Mr. Panchu Ram, Adv.
Mr. Sanjeev Kumar, Adv.

For the Respondent/s : Mr. Lalit Kishore (PAAG-1)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-09-2016

Heard Mr. Bishnu Kant Dubey, learned Counsel,

appearing on behalf of the petitioner, and Mr. Lalit Kishore,

learned Principal Additional Advocate General No.1, appearing

on behalf of the State-respondents.

Having regard to the fact that in this petition, made

under Articles 226 and 227 of the Constitution of India, in the form of Public Interest Litigation, the petitioner has alleged defalcation/misappropriation of public fund.

This Court is clearly of the view that, in the facts and attending circumstances of the present case, the remedy, under Article 226 of the Constitution of India, is not appropriate and, therefore, the petitioner shall, if so advised, either lodge a *First Information Report* with jurisdictional police station or file a complaint in a criminal court of competent jurisdiction.

If the *First Information Report* is lodged or the complaint is filed, the same shall be dealt with expeditiously and in accordance with law.

Having regard to the above, this writ petition, as has been sought for, on behalf of the petitioners, is hereby disposed of as withdrawn with liberty as granted above.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

K.C.jha/-

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