

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3247 of 2014

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Madan Mohan Mishra S/O Late Chandrashekhar Mishra (Secretary, Former Managing Committee, Sarswati Vilas Sanskrit Uchcha Vidyalaya Shokhara, Barauni, Begusarai) Resident Of Village- Phulwariya-2, P.S- Phulwariya, P.O- Barauni, District- Begusarai.

.... Petitioner

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Through Its Registrar, Having Its Office at Kameshwar Nagar, Darbhanga (Bihar)
2. Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga (Bihar)
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga (Bihar)
4. Deputy Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga (Bihar)
5. Bihar Sanskrit Siksha Board, Through Its Chairman, West Boring Canal Road, Near Raja- Pul, Patna- 800001.
6. Principal Secretary, Human Resource Department Having His Office At Old Secretariat, Patna- 800001.
7. Ashok Kumar Chaudhary S/O Devendra Chaudhary Head Master, Saraswati Vilas Sanskrit Vidyalaya, Shokhara, Barauni, Begusarai.
8. Department of Vigilance, through D.G., Vigilance Government of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Amit Narayan, Advocate
For the Respondent State:		Mr. Anil Kumar Sinha, GA-1
For the Respon. Vigilance :		Mr. Santosh Kumar, Advocate
For the Res. University :		Mr. Awadhesh Prasad, Advocate
For the Res. Board :		Mr. S.S.Sundaram, Advocate
For the Pvt. Respondent:		Mr. Durganand Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 21-12-2016

Vigilance Case No. 146 of 2016 has been instituted on 20th December, 2016 by the Vigilance on *prima facie* finding materials, which make out a case for prosecution of all those involved including the private respondent.

Counsel for the private respondent submits that the



while enquiry was *bla bla*, no place was visited and no documents provided by the petitioner was looked in.

There is adequate opportunity to the petitioner even during the course of investigation after launching of the first information report to place his side of the story before the Investigating Officer, this Court will not act as a super forum for monitoring the investigation. The Code of Criminal Procedure will take over now.

Writ application stands disposed of.

(Ajay Kumar Tripathi, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.12.2016
Transmission Date	N/A

