

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17221 of 2015**

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1. Navin Kumar, S/o Shri Subhash Singh, resident of Village- Dhimoi,  
Police Station- Harnaut, District- Nalanda. .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Disaster Management, Bihar, Patna.
2. The Principal Secretary, Department of Disaster Management, Bihar, Patna.
3. The Principal Secretary, Department of Agriculture, Bihar, Patna.
4. The Principal Secretary, Department of Cabinet Vigilance, Bihar.
5. The Commissioner, Patna Division, Patna.
6. The District Magistrate, Nalanda.
7. The District Agriculture Officer, Nalanda.
8. The Superintendent of Police, Vigilance Investigation Bureau, Patna.

.... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Parasmani  
For the Respondent/s : Mr. Roy Shivajee Nath, AAG-3

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**

ORAL ORDER

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE )**

2      22-01-2016                      Heard Mr. Sanjay Parasmani, learned counsel for the petitioner, and Mr. Roy Shivajee Nath, learned Additional Advocate General No. 3, appearing for the State.

By making this application under Article 226 of the Constitution of India, in the form of Public Interest Litigation, the petitioner has alleged that pursuant to State Government's decision to provide compensation to those persons, whose crops had been damaged by flood in the year 2014 in the district of Nalanda, a list was prepared indicating the names of beneficiaries belonging to Chauriya Panchayat under Block Harnaut, but the

money which was to be paid as compensation to the flood affected persons, has been misappropriated.

In their counter affidavit, the State respondent Nos.6 and 7, namely, District Magistrate, Nalanda, and District Agriculture Officer, Nalanda, have submitted that upon enquiry with regard to allegations of misappropriation of relief fund by the functionaries of the said Panchayat, *First Information Report* has been lodged and Harnaut P.S. Case No. 325 of 2005, dated 25.08.2015, has already been registered.

Considering, therefore, the matter in its entirety and in the interest of justice, we direct the Superintendent of Police, Nalanda to ensure effective, impartial and expeditious investigation into Harnaut P.S. Case No. 325 of 2005, dated 25.08.2015.

It is, however, made clear that if the responsibility is fixed on any one for alleged misappropriation of relief fund, necessary legal action shall be resorted to for the purpose of recovery of the said fund.

With the above observations and directions, this writ application shall stand disposed of.

**(I.A. Ansari, ACJ)**

**(Chakradhari Sharan Singh, J)**

A.I./-