

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9585 of 2016

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Kamlesh Yadav, S/o Shri Bhikhari Yadav, Resident of village and P.O.-
Rasulpur, P.S.- Daraunda, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Commissioner, Chhapra Division, Chapra.
4. The District Magistrate, Siwan.
5. The Circle Officer, Siwan.
6. The Block Development Officer, Daraunda, Siwan.
7. The District Panchayati Raj Officer, Daraunda, Siwan.
8. Smt. Seema Sanjay, wife of Sri Vajay Rai, Ex-Mukhiya, Panchayati Raj Rasulpur, Block-Darauna, District- Siwan.
9. Amir Singh, Ex-Panchayat Raj, Rasaulpur, Block & P.S.- Daraunda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akash Keshav

For the Respondent/s : Mr. Pushkar Narain Shahi, AAG-10

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-06-2016 Heard Mr. Akash Keshav, learned counsel appearing for
the petitioner.

There is no representation on behalf of the State.

The petitioner has prayed for appropriate direction to the
District Magistrate, Siwan to initiate enquiry into the
allegations made against the respondent nos. 9 and 10 in the
light of the papers present in the public petition dated 2.1.2014,
a copy of which is present at Annexure-1 as well as the details
present at Annexure-8.

Learned counsel for the petitioner has invited the



attention of this Court to the details of the irregularities committed by the private respondents present at Annexure-8 to the writ petition to submit that these irregularities have gone un-noticed and the respondents discharging public duty have misused public money.

The grievance of the petitioner is that although the attention of the District Magistrate, Siwan was invited through the public petition which charges these respondents with misappropriation and defalcation of public money but the same remains pending. Mr. Keshav, learned counsel for the petitioner has also referred to the communication dated 6.12.2014 of the District Panchayat Raj Officer, the letter dated 2.1.2015 and 25.3.2015 present at Annexure-4, 5 and 7 respectively to submit that some kind of steps were taken by the respondents but has not been taken to its conclusion even when the details of the irregularities are present at Annexure-8.

Having heard learned counsel for the petitioner and considering the nature of the grievance raised herein, I deem it fit and proper to direct the District Magistrate, Siwan to consider the issues raised in the writ petition in the backdrop of the documents discussed hereinabove and pass appropriate orders in accordance with law but only after opportunity of

hearing to the petitioner and the private respondents herein.

Considering the nature of the issues raised which involves public money, an expeditious disposal preferably within three months from the date of receipt/production of a copy of this order would be appreciated.

This writ application is accordingly disposed of.

(Jyoti Saran, J)

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