

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4060 of 2016

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1. Vijay Kumar Jha, Son of Late Dinesh Jha, Resident of Village & P.O.-
Bhakhara, Police Station Madhepur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
4. The Commissioner, Darbhanga Division, Darbhanga.
5. The District Magistrate, Madhubani.
6. The Superintendent of Police, Madhubani.
7. The Sub-Divisional Officer, Jhanjharpur, Madhubani.
8. The Sub-Divisional Police Officer, Jhanjharpur, Madhubani.
9. The Block Development Officer, Madhepur, Madhubani.
10. The Circle Officer, Madhepur Circle, Madhubani.
11. The Officer-in-Charge, Madhepur Police Station, Madhubani
12. Sri Ranjeet Kumar Raut, Son of not known the Contractor of Kishan
Bhawan in the premises of Madhepur Block Office, P.S. Madhepur,
District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha, Adv.

For the Respondent/s : Mr. Roy Shivaji Nath- AAG-3.

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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. Prafull Chandra Jha, learned Counsel,

appearing on behalf of the petitioner, and Mr. Roy Shivaji Nath,
learned Additional Advocate General No.3, appearing on behalf
of the State-respondents.

Having regard to the fact that, though the petitioner
has made allegation in this writ petition, brought in the form of
Public Interest Litigation, of many irregularities allegedly

committed in the construction of Kisan Bhawan, there is no substantive or concrete material to show that any inferior material has been used in the construction of the building.

In view of the above, we are clearly of the view that, in the facts and attending circumstances of the present case, Article 226 of the Constitution of India cannot be invoked.

The petitioner shall, however, be at liberty to take recourse to appropriate provisions of law if and when he is in a position to establish in the Court that materials used by the contractor in the construction of the said Kisan Bhawan, are in violation of law.

With the above observations, this writ petition stands disposed of.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

K.C.jha/-

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