

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3382 of 2016**

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1. M/s Priyanka Mukhya Mantri Nari Shakti Samooh, village and Panchayat- Andi, P.S.- Asthawan (Nalanda), through its Secretary named Pinki Devi
  2. Upendra Prasad, son of Late Harinandan Mahto, and
  3. Bajraj Grayan, son of late Ram Kishun grayan Both resident of village- Andi, P.s.- Asthawan, District- Nalanda

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Agriculture, Government of Bihar, Patna
3. The District Magistrate, Naland at Bihar Sharif
4. The District Development Officer, Nalanda at Bihar Sharif
5. The Block Development Officer, Asthawan, (Nalanda)
6. The Block Agriculture Officer, Asthawan, (Nalanda)
7. Panchayat Sevak-cum-Secretary, Relief Vigilance Committee Panchayat- Andi, P.S. & Block- Asthawan, (Nalanda) and
8. Panchayat Mukhiya-cum-President of Anti Panchayat Relief Distribution-cum-Vigilance Committee

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar, Adv.

For the Respondent/s : Mr. Amarendra Kumar, AC to AAG-5

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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. Sudhir Kumar, learned Counsel, appearing on behalf of the petitioners, and Mr. Amarendra Kumar Assistant Counsel to learned Additional Advocate General No.5, appearing on behalf of the State.

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 petitioners have 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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