

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8916 of 2016

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Manager Prasad, Son of Late Nag Narayan Prasad Resident of Purab Mohalla, Main Road, Mirganj, Ward No.11, P.O. and P.S. Mirganj, District-Gopalganj.

.... Petitioner

Versus

1. The State of Bihar through the Hon'ble Minister Incharge, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Hon'ble Minister Incharge, Urban Development and Housing Department, Government of Bihar, Patna.
3. Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
4. The District Magistrate, Gopalganj, District-Gopalganj.
5. The Executive Officer, Nagar Panchayat, Mirganj, District-Gopalganj.
6. Bindhyachal Kumar, son of not known to the petitioner, presently Chief Councillor, Nagar Panchayat, Mirganj, P.O. and P.S. Mirganj, District-Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar -Manglam

For the Respondent/s : Mr. Sunil Kumar Mandal, S.C.-24

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 19-05-2016 Heard the parties.

Although the petitioner prays for a direction to the respondents to initiate action against the private respondent no.6 under section 25(5) of the Bihar Municipal Act, 2007 (hereinafter referred to as 'the Act') for the act of omission and commission of the Chief Councilor, Nagar Panchayat, Mirganj in the district of Gopalganj but to support the allegation, the petitioner relies upon a representation filed by one Puja Devi addressed to the Minister Incharge as well as the Principal

Secretary. Unfortunately, the said Puja Devi is not a party to the present proceedings.

Be that as it may, considering that the said Puja Devi has not invoked the writ jurisdiction of this Court and there is nothing on record to show that the petitioner in any manner has invited the attention of the statutory authorities for initiating action against the private respondent, I am not persuaded to issue any direction for the present.

In case the petitioner would draw the attention of the respondent Authorities as regarding the acts of omission and commissions alleged against the private respondents with supportive facts, figures and documents then the same would be considered and be disposed of in accordance with law with opportunity of hearing to the private respondent.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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