

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9457 of 2014

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Shivendra Prasad, S/o Late Laxmi Narayan, Resident of Village -
Akbarpur, P.S. Asthawan, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Vigilance Department,
Government of Bihar, Patna
2. The Principal Secretary, Vigilance Department, Govt. of Bihar, Patna
3. The Principal Secretary, Health, Government of Bihar, Patna
4. The Director in Chief Health Services, Govt. of Bihar, Patna
5. The Director General of Police, Vigilance Investigation Bureau, 6,
Circular Road, Patna, Bihar
6. Sri Ajit Kumar Rai, S.P., Vigilance Investigation Bureau, 6, Circular
Road, Patna, Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar Singh, Advocate.
For the State	:	Mr. Kaushal Kumar Jha, AAG-8
For the Vigilance	:	Mr. Arvind Kumar, Advocate.
		Mr. Santosh Kumar Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

3 07-12-2016

Heard learned counsel for the parties.

2. The prayer in the writ application is for a direction to the Vigilance Investigation Bureau, to consider the representation filed by the petitioner before filing chargesheet in Vigilance P.S.Case No. 61 of 2013, in which the petitioner is also an accused and further, to take into account the report submitted before the Hon'ble High Court in CWJC No. 10303 of 2013.

3. Learned counsel for the petitioner submitted that the points raised by him have not been considered by the Vigilance Investigation Bureau and also the report submitted pursuant to the



direction given by the Court in CWJC No. 10303 of 2013, has also not been taken into account, by which it has been found that it was the then Deputy Superintendent -cum- Incharge Surgical Store and the then Head of the Department, Surgery, who were responsible and against whom chargesheet has also been submitted and the petitioner had no role in the entire episode.

4. Learned counsel for the respondents submitted that the matter is pending before the Special Judge, Vigilance, Patna and, thus, such matters are within the jurisdiction and purview of the court below and the petitioner may raise such grievance before the said court.

5. Faced with the situation, learned counsel for the petitioner seeks permission to withdraw the writ application to enable him to file an appropriate application before the court below in terms of the reliefs prayed for in the writ application.

6. Learned counsel for the respondents do not oppose.

7. Accordingly, the writ application stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J)

Sujit/-

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