

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15240 of 2016

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Kamlesh Rai, S/o- Sakaldeep Rai, R/o Vill- Meenapur, P.O.- Hajipur, P.S.- Hajipur Town, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Urban Development, Government of Bihar, Patna.
3. The Commissioner, Urban Development Department, Govt. of Bihar, Patna.
4. The District Magistrate, Vaishali.
5. The Executive Officer, Nagar Parishad, Hajipur, Vaishali.
6. The President, Nagar Parishad, Hajipur, Vaishali.
7. The Vice President, Nagar Parishad, Hajipur, Vaishali.
8. The Sub-Divisional Officer, Hajipur, Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Shashi Bhushan Kumar, Advocate
For the State : Mr. Subhash Prasad Singh, G.A.-3
For the Nagar Parishad : Mr. Vasant Vikas, Advocate

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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. Shashi Bhushan Kumar, learned Counsel, appearing for the petitioner, and Mr. Subhash Prasad Singh, learned G.A.-3, appearing on behalf of the State-respondents. Heard also Mr. Vasant Vikas, learned Counsel, appearing on behalf of the respondent-Nagar Parishad, Hajipur.

Having regard to the fact that with regard to the alleged misappropriation of public fund, the petitioner can very well lodge a *First Information Report* with the jurisdictional Police Station or a complaint case in a criminal Court of competent jurisdiction, we

are clearly of the view that in the facts and attending circumstances of the present case, the extraordinary jurisdiction of this Court, under Article 226 of the Constitution of India, cannot be invoked.

In view of the above, this writ petition is closed with the liberty given to the petitioner to take recourse to the appropriate provision of law as may be permissible.

If a *First Information Report* is lodged or a complaint is filed, the same shall be dealt with expeditiously, in accordance with law.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

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