

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9567 of 2016

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1. Veterans Forum for Transparency in Public Life through its general Secretary namely wing Commander (Retd.) Bishwanath Prasad Singh, son of late R.N. Singh, R/o PNT Colony No.2, Dahiyawan, Chapra, Bihar.
 2. Shweta Kumari, wife of Sanjeev Sharan, D/o Sri Sunil Prasad Singh, resident of Mokama House, Boring Canal Road, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Secretary, Darbhanga Regional Transport Authority, Darbhanga.
3. Administrator, Bihar State Road Transport Corporation, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Advocate
For BSRTC	:	Mr. Suman Kumar Jha, Advocate
For Resp/State		Mr. P.K. Verma- AAG-3
		Mr. Saroj Kumar Sharma, AC to AAG-3
For Union of India	:	Mr. S.D. Sanjay, Addl. Sol. Gen.
		Dr. Punam Kumari Singh, CGC

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 16-01-2017

The Central Government sanctioned a sum of Rs.19,943.30 lacs for Urban Infrastructure and Governance under Jawaharlal Nehru National Urban Renewal Mission during the period 2008-09. There was allocation of funds of Rs.997.50 lacs for District- Patna and Rs. 270.00 lacs for District - Bodh Gaya for the purpose of purchase of buses for development of urban infrastructure and governance.

2. The grievance of the petitioner is that the buses



purchased for Patna and Bodh Gaya have been diverted to Darbhanga.

3. In the counter affidavit filed on behalf of the State, reliance is placed upon minutes of the meeting held on 31st of December, 2013 wherein, since the State and its Road Transport Corporation was unable to make use of the buses, it was decided to allocate the buses to other districts such as Muzaffarpur, Bhagalpur, Darbhanga etc. It is in pursuance of the said decision, the buses have been sent to Darbhanga District.

4. On behalf of the Government of India, the stand is that for purchase of 125 buses a sum of Rs. 12.68 crores was released for urban development by the Government of India as the 1st installment of assistance during the financial year 2008-09. The subsequent two installments could not be released due to non-compliance of the conditions mentioned in the bus funding guidelines of the Central Government by the State Government and Jawaharlal Nehru National Urban Renewal Mission has come to an end on 31st of March, 2014.

5. Since the project under which the allocation was made has itself come to an end and the State by its own resolution has decided to divert the buses to other districts, we find that it is for the Central Government to take such remedial action as may be



warranted, permissible and possible in law in the facts of the present case for violating the guidelines of the Central Government and for diverting the buses earmarked for Patna and Bodh Gaya to other Districts.

6. With the said observation and liberty, the present writ petition is disposed of.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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