

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.124 of 2015

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Sabhapati Singh Son of Late Kewal Singh Resident of Village -
Shambhupur Kowari, Post - Ashai, Block- Bhagwanpur, Police Station -
Sarai District - Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. The District Magistrate, Vaishali at Hajipur
 3. The Deputy Development Commissioner, Vaishali at Hajipur.
 4. The Director, Account Administration, Self Employment, D.R.D.A
Vaishali.
 5. The Senior Deputy Collector Cum Incharge District Development Wing,
Vaishali at Hajipur.
 6. The Executive Engineer Rural Works Department, Works Division,
Vaishali at Hajipur.
 7. The Block Development Officer, Hajipur Sadar, District - Vaishali at
Hajipur.
 8. Arvind Kumar Yadav Son of Late Upendra Rai
 9. Dinesh Rai Son of Vishnu Rai
 10. Mahesh Paswan Son of Balchand Paswan
 11. Tufani Kumar Rai Son of Suresh Rai
- All Resident of Village Randaha Under Gram Panchayat- Bahuara, Block &
Police Station Hajipur, District - Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Respondent/s : AC to SC – 26

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 17-01-2017 Heard Sri Jitendra Kumar Roy, learned counsel for the
petitioner and learned AC to SC No. 26.

The petitioner in the present writ petition, filed under



Article 226 of the Constitution of India, has made a prayer for directing the respondents to consider and decide his representation and he has also made a prayer for quashing of Annexure -2 to the present writ petition whereby direction was issued by the Deputy Development Commissioner, Vaishali to the Block Development Officer to take appropriate action for realization of Rs. 6,00,075/- from the executing agency which was mentioned as Panchayat Secretary due to non-completion of work in relation to construction of marriage hall even though advance was sanctioned. Learned counsel for the petitioner submits that petitioner at the relevant time was Panchayat Secretary and immediately after Annexure -2 had filed representation and on his representation no decision has been taken. Even prior to that, he filed representation.

On perusal of Annexure- 2 to the writ petition it appears that only communication was made by the Deputy Development Commissioner to the Block Development Officer for taking appropriate step even for filing certificate case. At the moment, the petitioner has not brought on record anything to satisfy as to whether any certificate proceeding has been initiated against him or not. Even no show cause notice pursuant to Annexure- 2 was issued.



In view of the facts and circumstances, the court is of the opinion that the present writ petition is premature and as such, no positive order can be passed.

The writ petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

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