

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12179 of 2017

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1. Navin Kumar, Son of Late Mahendra Prasad, Resident of Village-Jaitpur, P.S.-Barhiya, District-Lakhisarai.
 2. Ram Nandan Singh, Son of Late Ramashray Singh, Resident of Village-Jaitpur, P.S.-Barhiya, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Apada Prabhand Department, Govt. of Bihar, Patna.
2. The Secretary, Apada Prabhand Department, Bihar, Patna.
3. The Commissioner, Munger Commissioner, Munger.
4. The District Magistrate, Lakhisarai.
5. The Apada Prabhandh Officer, Lakhisarai.
6. The Sub. Divisional Officer, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Senior Advocate
Mr. Anuj Kumar, Advocate

For the Respondent/s : Mr. P.N.Shahi -AAG 6
Mr. Rabindra Kumar, AC to AAG 6

For the Intervenors : Mr. Sunil Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-09-2018

1. By way of this Public Interest Writ Petition, the petitioners have prayed for an appropriate writ/order directing the respondents to enquire into the illegality committed in grant/distribution of Food Aid Reliefs, 2016 in Gram Panchayat Raj, Jaitpur falling within Barahiya Block of Lakhisarai District.



It is further prayed to realize the money from the persons, who had illegally taken money of Flood Aid Relief, 2016.

2. In response to the notice issued by this Court, a counter is filed on behalf of respondent No.4 affirmed by Senior Deputy Collector, Lakhisarai, in which he has pointed out steps taken in respect of release of Food Aid Relief, 2016 in Gram Panchat Raj, Jaitpur. The relevant extracts are in paragraphs 8, 9 & 10 which read as under:

“8. That the then Anchal Adhikari, Barahiya, who has earlier show caused, has submitted detailed explanation vide letter no. 1192 dated 21.08.2018. But he failed to state as to how the unfit persons were benefited in the Flood Relief Scheme without monitoring of the list of beneficiaries at block level.

9. That in the given facts and circumstances, this respondent was compelled to arrive at conclusion that the then Anchal Adhikari, Barahiya was *prima-facie* responsible for commission of irregularities in the distribution of Flood Relief Scheme in Jaitpur Panchayat in the year 2016 and he was intentionally sitting over the matter and did not submit statement of facts relating to said irregularities in spite of reminders leading to delay in filling statement of facts before the



Hon'ble Court. Therefore, this respondent has ordered the Sub-Divisional Officer, Lakhisarai to constitute Form 'K' against the then Anchal Adhikari, Barahiya Sri Ramdutta Paswan vide letter no. 255/Dis. Mang., dated 04.09.2018. Form 'K' has been instituted against Circle Officer, Lakhisarai vide letter no. 470 dated 10.09.2018.

10. That apart from this Government officials and elected members of Jaitpur Panchayat, who ratified the beneficiary list, have been show caused and appropriate action will be taken after scrutinizing their show cause properly.”

3. Learned counsel appearing on behalf of the respondent-State Authorities stated at the bar that the departmental inquiry against the erring Officer/Officers as well as elected members of Jaitpur Panchayat, who ratified the beneficiary list and to whom show cause notices have been issued, shall be completed within six weeks from today. It is further stated that from the concerned persons, who wrongly availed the benefit under the Scheme 2016, the amount has been recovered in most of the cases.

4. In view of the above, and as now further steps have been taken which must come to its logical end within a period of



six weeks, as stated hereinabove, we dispose of the present petition with the above direction.

5. In view of the disposal of the main petition, Interlocutory Application No.6452 of 2018 stands disposed of.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	N A
Uploading Date	18.09.2018
Transmission Date	

