

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15527 of 2017

- =====
1. Minta Devi, wife of Devendra Singh, resident of Village- Chausiya, P.O.- Laxmanpur, P.S.- Jandaha, District Vaishali.
 2. Ramjatan Singh, son of Late Nirsan Singh, resident of Village- Rampur Borhan, P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.
 3. Baidya Nath Singh, son of Ram Sagar Singh. resident of Village- Nashanpur, P.O.- Narharpur, P.S.- Jandaha, District- Vaishali.
 4. Dharmendra Kumar Raushan, son of Jai Kishun Sah, resident of Village- Bhan Borhan, P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.
 5. Rajesh Rai, son of Binda Rai, resident of Village- Bhan Borhan, P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.
 6. Raj Kumari Devi, wife of Rakesh Singh, resident of Village- Rampur Borhan, P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.
 7. Sabita Devi, wife of Began Paswan, resident of Village- Bhan Borhan, P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.
 8. Rita Devi, wife of Manorath Lal Mehta, resident of Village- Bhan Borhan, P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. Deputy Development Commissioner, Vaishali at Hajipur.
4. District Programmer Officer (Manrega) Vaishali.
5. Sub Divisional Officer, Mahua, District Vaishali.
6. Block Development Officer Jandaha, District Vaishali.
7. Manrega Programmer Officer Jandaha, District Vaishali.
8. Mukhiya Gram Panchayat Raj Borhan @ Rasulpur Gaus Block Jandaha, District Vaishali.
9. Panchayat Rojgar Sevak Gram Panchayat Raj Borhan @ Rasulpur Gaus, Block Jandaha, District- Vaishali.
10. Union of India through its Secretary Rural Development Department New Delhi.
11. The Secretary, Ministry of Rural Development, New Delhi.

.... Respondents



Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
Mr. Sk. Ansul Raj, Advocate
For the State : Mr. Anjani Kumar -AAG4
For the Union of India : Mr. Praveen Kr. Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE**And****HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT****(Per: HONOURABLE THE CHIEF JUSTICE)****Date: 17-04-2018**

Seeking a writ of mandamus, commanding the respondents to make an enquiry in the work done under the MANREGA scheme in the year 2016-17 and 2017-18 in Gram Panchayat Raj Borhan @ Rasulpur Gaus, Block – Jandaha, District – Vaishali.

The petitioners, who are elected Up-Mukhiya and Ward Member of Gram Panchayat, have moved this court by filing this Public Interest Litigation invoking writ jurisdiction of this court. It is their grievance that there had been huge allotment of money for carrying out the various work but the Mukhiya and Panchayat Rojgar Sevak have grabbed a huge amount in the aforesaid work. A representation in this regard has been submitted to the MANREGA Programme Officer, Jandaha. It is also alleged that respondent no. 9 in collusion with respondent no. 5 who is the District



Programme Officer (MANREGA), Vaishali, respondent no. 8 and respondent no. 10 have done several illegality and irregularity in the MANREGA scheme and misappropriated a huge amount.

Having heard learned counsel for the petitioner, we are of the considered opinion that under the MANREGA scheme itself there is a provision for resolution of the disputes which are being raised by the petitioners and an enquiry may be caused by the State Level Monitoring Committee and thereafter by a further Committee envisaged under the MANREGA. Considering all these factors a co-ordinate Bench of this court in the case of *Vijay Shahi and others vs. Union of India and others* reported in *2014(4) PLJR 108*; has relegated the parties to take recourse to the remedy of representing to the Developing Commissioner, Chairman of the Committee and the Committee was directed to look into the matter.

The petitioners are given liberty to represent to the Development Commissioner, Chairman of the Committee constituted under the scheme and the Committee is directed to look into the grievance of the petitioners and proceed in accordance with law.



It is further directed in case a complaint is made before the Statutory Grievance Redressal Committee, the same shall be dealt with and decided by the Committee preferably within six months from the date of its representation along with a copy of this order.

With the aforesaid liberty, this writ application is disposed off.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.04.2018
Transmission Date	NA

