

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11660 of 2019

=====

Ranjeet Kumar Yadav Son of Ram Sevak Yadav Resident of near Udyog Bhawan, village Chhaparadhi, P.O. Kuadh, P.S. Rajnagar, district-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Education Department, Govt. of Bihar, Patna.
3. The Director Jansiksha, Education Department, Govt. of Bihar.
4. The Secretary The Lokayukta, Bihar, Patna.
5. The Senior Superintendent of Police Lokayukta Vigilance, Bihar.
6. The Officer on Special Duty Vigilance Department, Patna.
7. Rajesh Kumar Mishra Son of Sri Chitradhar Mishra Resident of Village-Keyota, P.S. Kaluahi, Madhubani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Prashant Sinha, Advocate
		Mr. Baua Jha, Advocate
For the Respondent/s	:	Mr.Sanjay Kumar, AC to GP-23

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-06-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner has filed the present writ petition raising, inter alia, the grievance that the Lokayukta has initiated proceeding against the petitioner, who is a contractual employee and as such the complaint is not amenable to jurisdiction of Lokayukta in terms of Section 16 of the Bihar Lokayukta Act,2011.

Learned counsel for the petitioner has referred to the



order of the Lokayukta, whereby payment of salary of the petitioner has been stopped pending final decision by the Lokayukta. He submits that Lokayukta lacks jurisdiction to entertain such complaint, yet the Lokayukta is proceeding ahead with the complaint and passing order against the petitioner.

From the materials available on the record, it does not appear that the petitioner has raised the issue of lack of jurisdiction before the Lokayukta and as such the Court is not in a position to decide the issue. However, liberty shall be available to the petitioner to raise the issue of lack of jurisdiction in terms of Section 16 of the Bihar Lokayukta Act, 2011 before the Lokayukta and in case such issue as to jurisdiction is raised by the petitioner before the Lokayukta, the Lokayukta is requested to decide the issue of jurisdiction at first instance before deciding the complaint on merit.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

