

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16448 of 2019

Rambabu Rajak

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Gupta
For the Respondent/s : Mr.Ajay (Ga5)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

2 23-08-2019 In this case, the petitioner has made a prayer for issuance of a mandamus commanding the respondents to set up a vigilance enquiry for misappropriation and loot of the fund, incurred in construction of drainage and PCC road in the village, during the financial year 2015-16, 2016-17 under the Scheme and the petitioner could know the pilferage of the government money and its misappropriation causing financial loss to the State. When the petitioner got an information about the bungling, he filed an application before the District Public Grievance Redressal Officer, Jehanabad and it appears from the order that authorities have started the enquiry and even the information was given to the petitioner through the phone call to co-operate in enquiry but complainant was not present and in no any manner



extended the co-operation and, ultimately, a detailed order has been passed, wherein a finding has been recorded that no bungling has been committed in execution of the scheme. It also appears from Annexure-6 wherein, it is stated that if the petitioner is not satisfied with the order, which has been passed, he can prefer an appeal within 30 days before the Divisional Commissioner, Magadh Division, Gaya, but instead of filing an appeal, the petitioner came to this Court in PIL and, as such, we are of the view, that the present application is not maintainable.

Time granted for filing an appeal is already over. If the petitioner is feeling aggrieved, he may file an appeal before the Divisional Commissioner, Magadh Division, Gaya within a period of three weeks, who will look into the matter on its own merit and decide the same in accordance with law.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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