

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21991 of 2019

Ashok Baitha, aged about 31 years (male), son of Kapildeo Baitha, resident of village- Mahua in Sub- Division, Pupri, Block and Police Station Bajpatti, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Rural Work Department, Bihar, Patna.
3. The District Officer- Cum-Collector, Sitamarhi.
4. The Sub-Divisional Officer- Pupri, District- Sitamarhi.
5. The Additional Collector, Sitamarhi.
6. The Block Development Officer, Bajpatti, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Respondent/s : Mr.P.N.Shahi (AAG-6)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-11-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:-

“i. For issuance of appropriate writ/ order/ direction commanding the respondents no. 1 to 3 to take proper action against the other concerned respondents and contractors, or to make proper investigation and enquiry by any independent Government Agency against them, who are indulged in “embezzlement” in the constructional work of road and Nali-gali in Ward No. 02, village- Bachopatti, Narha Panchayat, under



Block- Bajpatti District- Sitamarhi in year December 2017 which Nali Gali were extremely damaged within 6 months and more over Rs. 7,44,000/- was withdrawn without doing work.

Aforesaid Nali Gali work are said to be made

(a) from the house of Kailash Sah to house of Dinesh Sah

(b) from the house of Dr. Sagir to house of Ramnandan Mukhia

(c) And from the house of Fenku Rai to the house of Kishor Rai, this 3rd work was not done, and Rs. 7,44,000/- was withdrawn.”

It is an admitted fact that despite the matter having been brought to the notice of the District Magistrate, no action, whatsoever, has been taken for redressal of the grievances pointed out by the writ-petitioner. In fact, petitioner's written request dated 30th of November, 2018 remains unattended. Noticeably, the writ-petitioner has highlighted the factum of alleged embezzlement in the construction of road/Nala. A huge amount of public money, running into few lacs, was spent and the condition of the road/Nala remains the same. Perhaps, public money has been allowed to be withdrawn without doing any work putting the residents of the area at the mercy of the God almighty and inaction on the part of the respondents has



endangered the life and property of the residents.

As such, we dispose of the present petition with direction to the Respondent No. 3 i.e. District Officer-cum-Collector, Sitamarhi to positively take remedial action in restoring the path/Nala and decide the petitioner's representation as also take action against the erring officials and other persons within a period of three months.

Counsel for the State to communicate the orders to the concerned officer by all modes including email and Whatsapp.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

P.K.P./-

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