

\$~29

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 173/2019

SAGAR SHARMA AND ANR. Petitioners

Through: Petitioners in person

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Ramesh Singh, Standing Counsel
with Mr. Chirayu Jain & Ms. Nikita Goyal, Advs.
for R-1

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **11.01.2019**

Inter alia contending that there has been misappropriation and defaultation of funds in upgradation and expansion work of government hospitals and in spite of complaint the respondent No.2 has not looked into the matter, this writ petition has been filed seeking an enquiry in the matter.

Since defaultation or misappropriation has been in execution of the government work by the government officials and if the department or the authorities have not considered the complaint of the petitioner, the petitioner can always invoke the jurisdiction of the Vigilance Authority like the Lokayukta by filing the statutory complaint to those who are empowered under law to cause an enquiry in such matter. Once there is a proper mechanism for redressal of grievance of the petitioner, seeking indulgence

into the matter in public interest litigation, exercising extraordinary jurisdiction under Article 226 is not called for. By granting liberty to the petitioner to invoke the jurisdiction of the statutory Vigilance Authority in accordance with law as indicated hereinabove, we dispose of the present writ petition.

CHIEF JUSTICE

V. KAMESWAR RAO, J

JANUARY 11, 2019
ns