

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19112 of 2017

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Anil Kumar Mahto Son of Siyaram Mahto resident of village - Parbanda,
Police Station - Birpur, P.O. - Fazilpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The District Magistrate, District - Begusarai.
4. Engineer-in-Chief, Road Construction Department, Patna, Bihar.
5. Executive Engineer, Road Construction Department, Begusarai.
6. Union of India through Executive Engineer, Central Public Works Department, Rajivnagar, Patna.
7. Executive Engineer, Central Public Works Department, Rajivnagar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Anjani Kumar Jha, Adv.
For the Respondent/s	:	Mr.Amit Prakash -GA 13
For Union of India		Smt. Nivedita Nirvikar, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 21.12.2017 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief/s:

“(i) For issuance of writ in nature of mandamus
commanding the authorities concerned to carry out



the repair of the road for which maintenance fund has already been allotted under Pradhan Mantri Gramin Sadak Yojna (hereinafter referred as PMGSY), but till date not a single farthing has been utilized for the maintenance work of road, rather same has been misappropriated.

(ii) For issuance of writ in the nature of mandamus to commanding the authority concerned to inquire the matter of embezzlement of public money and to punish the persons concerned who is participating in the misappropriation of public money.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law,



before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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