

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13740 of 2019

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Badri Narayan Choudhary S/o Late Kapileshwar Choudhary Vill.- Milki,
Block- Alinagar, P.o. and P.s.- Benipur, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Old Secretariat, Patna
2. The Principal Secretary Ministry of Rural Development Department, Govt. of Bihar, Patna
3. The Secretary Rural Development Department, Govt. of Bihar, Patna
4. The District Magistrate Darbhanga
5. The Deputy Development Commissioner Darbhanga
6. The Sub Divisional Officer Alinagar, Darbhanga
7. The Block Development Officer Block Alinagar, Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binodanand Mishra

For the Respondent/s : Mr.Anjani Kumar (Aag4)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 04-02-2020 Petitioner has prayed for the following relief:

- (a) directing the respondent authorities to cancel the illegal allotment of houses, as allotted under Prime Minister Awas Yojna Scheme with regard to those 34 persons who are already having pucca houses and recover the embezzled public money.
- (b) directing the respondent authorities to conduct a fair enquiry into the matter and take



legal action against responsible officers.”

In crux, it is the petitioner’s grievance that 34 persons have been unauthorisedly and illegally allotted houses under the Prime Minister Awas Yojna Scheme (hereinafter referred to as the “PM Awas Yojna”). Petitioner claims to be a social activist and as such by way of instant public interest litigation, he has approached this Court, seeking mandamus and certiorari for quashing of such unauthorised allotment of houses.

When we perused the averments made in the petition, we find the allegation to be absolutely vague, unspecific and sketchy. Despite the same, only to satisfy the judicial conscience, this Court issued notices and called upon the State to file its response.

In the affidavit dated 11.09.2019, sworn by the Block Development Officer, Alinagar, Darbhanga, it stands elaborately discussed that a Committee was constituted to examine the allegations made by the petitioner and details of each beneficiary, numbering 105, were examined and the Committee in its report dated 03.07.2019, held the allegation to be, *ex facie*, false and baseless. On record, there is nothing to controvert such findings returned by the committee.

As such, we find no merit in the present petition and the same is dismissed.



We refrain from adding any further and imposing any
cost.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

sujit/-

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