

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8941 of 2020

MD. AZAM, Son of Late Gajar Khan, Resident of Village-Ghodpakri, Ward No. 6, Police Station-Inarwa, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary Social Welfare Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Govt. of Bihar.
4. The Director, ICDS, Directorate, Government of Bihar Patna.
5. The District Magistrate, West Champaran.
6. The Additional District Magistrate-Cum-Conducting Officer, Samekit Bal Vikash Priyोजना, Bagaha-2, District-West Champaran.
7. District Programme Officer, Samekit Bal Vikash Priyोजना, Bagaha-2, District-West Champaran.
8. Block Development Officer, Bagaha-2, District-West Champaran.
9. The Child Development Programme Officer (CDPO), Bagaha-2, District-West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Zainul Abedin, Advocate
		Mr. Ramendra Kumar Bharti, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-12-2020

The petitioner has prayed for the following relief(s) :-

“That this application by way of Public Interest Litigation is being filed by the above named petitioner for the following reliefs:-

- 1) For issuance of writ in the nature of mandamus directing the respondents for making an enquiry regarding embezzlement of Government fund,



Poshahar Amount in respect of March, 2020 and May, 2020 regarding Samekit Bal Vikasli Pariyojana, Bagaha-2, District- West Champaran by the respondents which has been not been distributed by them among the beneficiaries. ii) For issuance of writ in the nature of mandamus directing the respondents to punish the guilty persons who are involved embezzlement of Government fund.

iii) For issuance of writ in the nature of mandamus directing the respondents to hold impartial and fair enquiry in the matter bring the culprits to the book and lodge FIR against them

iv) For any other relief/reliefs as this Hon'ble Court deem fit and proper in the facts Circumstances of case.”

Learned counsel for the petitioner submits that even though the petitioner has already made a representation [Annexure P-3 and P-4], petitioner shall make a fresh representation to the authority concerned for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four weeks from the date of its filing along with a copy of this order.

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.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	08.12.2020
Transmission Date	

