

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25032 of 2018

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Shailendra Kumar Singh, Son of Late- Ramdeo Singh, Resident of village- Parsa, Ward No. 4, P.S.- Manjhaulia, District-West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Old Secretariat, Patna
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna
3. The District Magistrate, West Champaran
4. The Deputy Development Commissioner, West Champaran cum the Chief Executive Officer, District Board, West Champaran.
5. The Executive Engineer, Rural Works Department, West Champaran, Zila Parishad, West Champaran
6. The Executive Engineer, Road Construction Department, Road Division, Bettiah
7. The Additional Collector-cum-District Public Grievances Redressal Officer, West Champaran
8. The Executive Engineer, District Board, West Champaran
9. The Junior Engineer, District Board, West Champaran
10. The State Vigilance Investigation Bureau through its Director, Bihar, Patna
11. The Director, Vigilance Investigation Bureau, Bihar, Patna
12. Smt. Rima Devi W/o Sunil Kumar Singh, The then Zila Parshad Constituency No. 40, District Board, West Champaran, At present resident of village-Parsa, P.S.- Majhaulia, District- West Champaran
13. The District Board, West Champaran through its Chief Executive Officer at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyan Prakash
For the Respondent/s : Mr. P. N.Shahi, AAG-6

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

(Per: HONOURABLE THE CHIEF JUSTICE)

7 03-03-2020 Petitioner has prayed for the following reliefs:



(i) For issuance of an appropriate writ(s)/order(s)/direction(s) upon the respondents, preferably upon the Vigilance Investigation Bureau to make a proper enquiry/investigation with regard to embezzlement of public money being Amount of Rs. 7,18,000/- (Seven lacs eighteen thousand) withdrawn without being the completion of work of construction of P.C.C. road by the Respondent No.12, the then Zila Parshad, District Board, West Champaran with the connivance of Authorities of the District Board, West Champaran as well authorities of Rural Works Department and Road Construction Department.

(ii) For direction upon the concern respondents for lodging of F.I.R. on being found illegality/embezzlement of public money, in an enquiry, against the responsible authorities/person.

(iii) For direction upon the District Magistrate, West Champaran to act in accordance with the observation made by the District Public Grievance Redressal Officer, West Champaran on 21.06.18 in petitioner's complaint Case No. 401110126021802363.

(iv) For issuance of any other writs/orders/directions which required to be passed in this Public Interest Litigation in the fact and circumstances in the case as the public money of the tax payers has embezzled.

With consent of the parties, the present petition is disposed off with the following agreed terms:

(a) Petitioner herein shall withdraw all



proceedings, civil or criminal in nature, so initiated against the private respondents or any other parties/any other persons with regard to the alleged embezzlement of public money amounting to Rs. 7,18,000/- (Rupees Seven Lacs Eighteen Thousand), in relation to the construction of civil work i.e. P.C.C. road over Khasra No.1464 and 3977 situated in Village-Parsa Tola, in any event, the said complaints/proceedings would be deemed to have been disposed off.

(b) The writ petitioner shall approach the Vigilance Department pointing out the alleged illegalities and embezzlement of public money carried out by anyone of the parties in relation to the construction of the said work.

(c) The Vigilance Department shall conduct a preliminary inquiry within a reasonable time and preferably within a period of six months and take appropriate action.

The present petition stands disposed off in the aforesaid terms.

It is clarified that this Court has not expressed any



opinion on the merit of the case.

(Sanjay Karol, CJ)

(S. Kumar, J)

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