

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7249 of 2022

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Manish Kumar Son of Radha Krishna Prasad, Resident of Ward No. 08,
Mohalla- Mirchaipatti, P.S. - Town, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Urban Housing Development, Bihar, Patna.
2. The Additional Chief Secretary, Department of Vigilance, Bihar, Patna.
3. The Deputy Secretary, Department of Vigilance, Bihar, Patna.
4. The District Magistrate, Sitamarhi.
5. Town Commissioner, Municipal Corporation, Sitamarhi.
6. Jankalyan Samiti through it's Secretary, Mrs. Mamta Anand, W/o - Anand Tripathi, Road No. 03, Khasmahal, Chiraiyatand, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amit Bhushan, Advocate
For the Respondent/s : Mr.Subhash Prasad Singh (GA-3)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 24-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

a) For direction upon the respondent authorities to investigate the prevalent widespread corruption, embezzlement of Public money and mismanagement in the Municipal corporation the erstwhile Nagar Parishad, Sitamarhi.

b) For direction upon the respondent authorities investigate the corruption in the tender process awarding work to NGO, Jankalyan Samiti, Patna which is a blacklisted NGO.

c) For any other relief/reliefs, ~~released~~ order/order as your lordship may deem fit and proper in the light of the stated facts.

Petitioner has filed this writ petition in the nature of public interest litigation for an enquiry in the matter of purchase of dustbin by the Nagar Parishad, Sitamarhi for the year 1.1.2019 to 31.12.2021 as said purchase was made in contravention of rules and regulations of tender notice as well as corruption in allotment of shop of Gudaribazar, Sitamarhi during the year 2017 to 2021 as well as in purchase of C.C.T.V camera as well as selection of beneficiaries in P.M. Awas Yojana and construction of toilet.

It is contended that contract was awarded to NGO despite being blacklisted.

Petitioner had earlier filed a petition in Janta Darbar of Chief Minister which was forwarded to D.M. Sitamarhi for taking appropriate action, upon which District Magistrate constituted a three-member-committee under the Chairmanship of DDC to enquire into the allegations of corruption in erstwhile Sitamarhi Nagar Parishad which submitted its report dated 22.01.2022 after holding enquiry to the District Magistrate, Sitamarhi and found the charges not to be true. Petitioner also filed a complaint before the vigilance department with respect to similar allegation.

In said view of the matter, this Court is not inclined to entertain this writ petition filed in the nature of public interest litigation and is accordingly, dismissed. However, dismissal of this writ petition shall not preclude the petitioner to raise his grievances before appropriate forum in accordance with law.

(Sanjay Karol, CJ)

Veena /rajiv-

(S. Kumar, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	