

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7620 of 2022

Veterans Forum for Transparency in Public Life through its General Secretary namely Wing Commander (Retd.) Bishwanath Prasad Singh, aged about 71 years, male, Son of Late R.N. Singh, R/o PNT Colony No.2, Dahiyawan, Chapra, PS- Chapra, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
4. The Commissioner, Saran Division, Saran.
5. The Union of India through Secretary, Ministry of Health Department.
6. The Secretary, Ministry of Statistics and Programme Implementation, Govt. of India, New Delhi.
7. Rajiv Pratap Rudi, Son of not known to the petitioner, Member of Parliament.
8. The District Magistrate, Saran at Chapra.
9. The Civil Surgeon, Saran at Chapra.
10. The Additional Director General, Vigilance, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mrs.Ritika Rani, Advocate
For the Respondent/s : Mr.Prabhat Kr. Verma (AAG 3)

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

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 24-06-2022 Petitioner has prayed for the following relief(s):-

(A) For issuance of writ nature of
mandamus or an appropriate, writ/writs,



order/orders, direction/directions for commanding the State respondents to inquire into the matter after lodging FIR by Vigilance Investigation Bureau or SIT about misuse of 64 Ambulance purchased under MP local Area fund, MP Lad about the role attributed by Rajiv Pratap Rudi private respondent No. 7, District Magistrate, respondent no. 8 and Civil Surgeon, Saran respondent no. 9 in also dumping ambulance and not providing use of ambulance purchased out of M.P Local Area Fund of Rajiv Pratap Rudi during COVID-19 also.

(B) Also commanding the State Respondents to recovery loss of Public money in not providing utilization of 64 ambulance purchased out of MP local Fund after initiating the proceeding under appropriate forum including Bihar and Orissa Public Demand Recovery Act, 1917.

(C) And also for necessary relief/reliefs for which the petitioner is entitled in the eye of law as well as facts of case.”

We are informed that in terms of our order dated 26th of October, 2021, petitioner has already approached District Magistrate, Saran at Chapra vide communication dated 22.11.2021 (Annexure-6, page-47) and yet no decision stands taken.

In these circumstances, without expressing any



opinion on merit, we direct respondent No. 8, namely the District Magistrate, Saran at Chapra, to decide the issue independently, uninfluenced by the fact that the petitioner had approached this Court. The decision shall be taken on its own merit in accordance with law.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-DKS

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