

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13773 of 2021

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1. Tuntun Singh, Son of Late Somari Singh, resident of Village-Chak Husaini, P.O. and P.S. - Mansi, Dist- Khagaria.
 2. Gautam Kumar, Son of Late Shukdeo Thakur, resident of Bhagat Tola, Ward No. 12, Mathurapur, P.S. - Mathurapur, Dist- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Patna.
2. The Principal Secretary, Panchayati Raj Department, Bihar, Patna.
3. The Divisional Commissioner, Munger Division, Munger.
4. The Director, Panchayati Raj, Bihar, Patna.
5. The District Magistrate, Khagaria.
6. The Deputy Development Commissioner, Khagaria.
7. The Block Development Officer, Mansi, Khagaria.
8. The District Public Grievance Redressal Officer, Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Kumar Alok, S.C.-7

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

7 09-05-2022 The petitioners have put to challenge an order dated 17.05.2021, whereby the Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad has written to the Block Development Officer under the Khagaria district to take appropriate legal action against the petitioners for the irregularities committed in purchase of solar lights under the Backward Regions Grant Fund (BRGF)



Programme in the said district.

It is an admitted fact that pursuant to the said letter dated 17.05.2021, action has been initiated, inasmuch as an FIR has already been registered.

In our opinion, any interference with the said communication dated 17.05.2021 shall have the consequence of quashing of the FIR of a criminal case, which is impermissible in the facts and circumstances of the case, in a civil writ proceeding under Article 226 of the Constitution.

Further, the petitioners have put to challenge an order dated 07.07.2021 passed by the District Public Grievance Redressal Officer, Khagaria in Complaint Case No.421110116101904224, whereby a direction has been issued for registration of FIR against the petitioners for purchase of solar lights during the period 2006-2011, when Petitioner No.1 was *Mukhiya* of Gram Panchayat, Chak Husaini and Petitioner No.2, was Panchayat Secretary of the said Gram Panchayat.

The said order passed under the provisions of the Bihar Right to Public Grievance Redressal Act, 2015 is appealable. The petitioners have apparently not preferred any appeal against the said order.



In the aforementioned background, in our opinion,
this writ petition is devoid of any merit. It is accordingly
dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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