

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14106 of 2022

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Sushil Choupal Son of Baidnath Choupal, Resident of Village-Pachadhi, Post-Pachadhi, Police Station-Raiyam, District-Darbhangha, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The District Magistrate, Darbhanga.
4. The Sub-Divisional Magistrate, Darbhanga Sadar, Darbhanga.
5. The Block development Officer, Keoti, Darbhanga.
6. Junior Engineer, Block Project Monitoring Unit, Mukhyamantri Rural Drinking Water Nischay Scheme.
7. Mukhiya, Gram Panchayat Chhachha Pachadhi, District-Darbhangna.
8. Panchayat Secretary, Gram Panchayat Chhachha Pachadhi, District-Darbhangha.
9. Ward Members, Gram Panchayat Chhachha Pachadhi, District-Darbhangha.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikas Kumar Jha, Advocate
For the Respondent/s : Mr. S. Raza Ahmad, AAG 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)



Date : 30-09-2022

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

“(i) For issuance of a writ in the nature of Mandamus, for direction/setting up of an enquiry in to Mukhyamantri Gramin Peyjal Nishchay Yojana (Har Ghar Nal Ka Jal) of Chachha Pachandhi Panchayat, Block-Keoti, District-Darbhanga which has been completed in flagrant violation of the Guidelines/Manuals/ Estimates of Mukhyamantri Gramin Peyjal Nishchay Yojana (Har Ghar Nal Ka Jal) Scheme of the Public Health Engineering Department, Government of Bihar.

(ii) For issuance of a writ in the nature of Mandamus for setting up an enquiry committee for the material standard & material used in completing the Mukhyamantri Gramin Peyjal Nishchay Yojana (Har Ghar Nal Ka Jal) of Chachha Pachandhi Panchayat, Block-Keoti, District-Darbhanga which has not been done as per standard fixed by the Public Health Engineering Department, Bihar despite of this a huge amount of exchequer has been siphoned off using corrupt practices in collusion which respondents.

(iii) For issuance of a writ in the nature of Mandamus, for constitution of enquiry committee for local inspection of Mukhyamantri Gramin Peyjal Nishchay Yojana (Har Ghar Nal Ka Jal) of Chachha Pachandhi Panchayat, Block-Keoti, District-Darbhanga and upon conclusion



of the enquiry report guilty person be identified to have indulge in corrupt practice and suitable legal action including First Information Report be instituted against them.

(iv) To any other relief(s) which the petitioner may be found entitled to in the facts and circumstances of the case.

(v) Cost of this litigation.”

Our attention is invited to the report of the enquiry conducted with respect to the work executed under the “Nal Jal Yojna”. Annexure-P/6 records certain facts of the work not having been executed in accordance with law.

Under the attending circumstances, we are of the considered view that the interest of justice would be met if the petitioner were to approach respondent No. 3, namely The District Magistrate, Darbhanga, who shall, within three months from the date of petitioner’s request, pointing out grievances, take an appropriate action as against all erring persons in accordance with law.

Should the petitioner find the respondents not to have acted in accordance with law with promptitude, it shall be open for the petitioner to move an application seeking revival of the present petition.

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

AFR/NAFR	
CAV DATE	
Uploading Date	04.10.2022
Transmission Date	

