

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19415 of 2021

Binod Prasad Yadav, son of Late Thako Prasad Yadav, resident of Village and Post-Khokhanaha, P.S.-Marauna, District-Supaul, State-Bihar-854301. At present residing Khokhanaha Punarwas ward no. 15 Nagar Parishad, Supaul (near Kabristan), P.O.-Supaul, P.S. and District-Supaul, Bihar-852131.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Bihar, Patna.
2. The District Magistrate, Supaul.
3. The Deputy Development Commissioner, Supaul.
4. The Praobationary Senior Deputy Collector, Supaul.
5. The Sub-Divisional Officer, Nirmali.
6. The District Panchayati Raj Officer, Supaul.
7. The District Project Officer, Supaul.
8. The Block Development Officer, Marauna.
9. The Block Programme Officer, Marauna.
10. The Executive Engineer, District Rural Development Department, Supaul.
11. The Junior Engineer, Rural Development Department, Marauna Block.
12. The Assistant Engineer, Rural Development Department, Marauna Block.
13. The Gram Panchayat Technical Assistant, Rural Development Department, Marauna Block.
14. The Panchayat Rozgar Sevak, Gram Panchayat Raj, Ghogharariya.
15. The Panchayat Secretary, Gram Panchayat Raj, Ghogharariya.
16. The Mukhiya, Gram Panchayat Raj, Ghogharariya under Marauna block, Smt. Archana Pritam, gender-female, wife of Rajiv Ranjan, resident of Village-Ghogharariya, Post-Manoharpatti, Block-Marauna, P.S.-Nadi, District-Supaul-847452.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kuldeep Kumar, Advocate
For the Respondent/s	:	Mr.Anjani Kumar (AAG4)

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 : 15-04-2022

Heard learned counsel for the parties.

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

- (a)** For Issuance of a writ in the nature of Mandamus for directing, commanding the concerned respondent authorities specially the respondent authority Nos. 2 (The D.M., Supaul) to take appropriate legal actions against the concerned corrupt public representatives and Govt. employees in relation to enquiry/inspection report dated - 30/12/2019 of Praobationary Senior Deputy-Collector, Supaul and report dated - 31/12/2019 of Sub-Divisional Officer, Nirmali.
- (b)** For issuance of a writ in the nature of Mandamus in order to direct the concerned authorities/department to lodge an FIR against the concerned corrupt public representatives and Govt. employees and recover all the looted Govt. amount from the pocket of concerned corrupt public representatives and govt. officials.
- (c)** For issuance of writ/writs, direction/directions upon the concerned respondents specially the respondent no. - 2 (The D.M., Supaul) to enquire/inspect all the schemes operated in Ghogharariya Gram Panchayat under Marauna block from the financial year 2016-17 to till and submits the report before this Hon'ble Court.
- (d)** For any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.

Petitioner in this writ petition filed in the nature of public interest litigation has highlighted the misappropriation and defalcation of Govt. fund released under MGNREGA welfare scheme by the officials and elected representatives of Ghogharia Panchayat in Nirmali Sub-division under Supaul district.

Petitioner has alleged loot of Govt. money under MGNREGA scheme from year 2016-17 to 2021-22 and further alleged that without completing the schemes under MGNREGA, schemes have been shown as completed and embezzled the Govt. money. It is further submitted by learned counsel for the petitioner that on complaint filed by him, an enquiry was conducted by the SDO, Nirmali through a Probationary Deputy Collector, Supaul and on enquiry made several laches, lapses and financial irregularities were found in execution of schemes and he submitted the enquiry report to the SDO, Nirmali who send said enquiry report along with his remarks to the DDC, Supaul but no action has been taken by the DDC, Supaul, even after receipt of said enquiry report.

The writ petition is disposed of with liberty to the petitioner to file a detailed representation before the DDC, Supaul, who thereafter shall take appropriate action on the basis

of enquiry report submitted by the SDO, Nirmali as well as allegations made in the representation filed by petitioner within three months from the date of receipt/production of a copy of the order passed by this Court.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA