

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22684 of 2019

Umesh Kumar @ Umesh Yadav Son of Ramphal Yadav Resident of Village/Mohalla- Kayastha Tola, Ward No. -28, East of Railway Loco Shed, Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary Department of Urban Development, Govt. of Bihar, Patna.
3. The Collector, Saharsa.
4. The Deputy Development Commissioner, Saharsa.
5. The Chairman Nagar Parishad, Saharsa.
6. The Executive Officer Nagar Parishad, Saharsa.
7. The JMD Infrastructure Its registered office Vidyapuri, Supaul and Corporate office, Road no.-16, Gardanibag, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar Singh, Advocate Mr. Rituraj Singh, Advocate
For the Respondent/s	:	Mr. Subash Prasad Singh, GA-3 Mr. Ajay Mukherjee, Advocate Mr. Abhay Shankar Singh, Advocate Mr. Indeshwari Pd. Nand, A.C. to G.A. 3

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-12-2022 Petitioner has prayed for the following relief(s):-

- i. For issuance of writ in the nature of mandamus or any other appropriate writ, order or direction for making an independent inquiry of financial irregularities and mismanagement by the Executive Officer namely Sri Prabhat Ranjan, Saharsa Nagar



Parishad for last several months including allotment/settlement of door to door collection of waste material within the jurisdiction of "Nagar Parishad, Saharsa" to one JMD Infrastructure Pvt. Ltd., Supaul, a NGO by ignoring the relevant rules and statutory provisions for some extraneous consideration as it is neither having the required infrastructure or manpower nor eligible in terms of the relevant rules.

- ii. For issuance of a writ in the nature of mandamus of any other appropriate writ for restraining the Executive Officer from indulging in the financial mismanagement and also to take suitable action against him after receipt of the enquiry report.
- iii. For issuance of a writ in the nature of mandamus or any other appropriate writ for annulling or cancelling the various illegal decision, settlement the Executive Officer during his short tenure of last several months causing heavy financial loss to the Parishad for his personal gain.
- iv. For issuance of writ in the mandamus or any other appropriate writ for suitably punishing the Executive Officer in accordance with law for all his illegal acts and financial irregularities committed by him during his short term.



v. For issuance of any other appropriate writ or direction which your Lordship may deem fit and proper in the facts and circumstances of the case.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file a fresh petition, with better particulars and materials, on the same and subsequent cause of action.

Permission granted with liberty as prayed for.

As and when any such petition is filed, the same shall be processed and listed on priority basis.

The instant petition stands disposed of as withdrawn in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

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