

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1469 of 2019

In

Civil Writ Jurisdiction Case No.5207 of 2016

Yodhan Chaudhary, Male, aged about 64 years, son of Late Beyadar Chaudhary Resident of Village- Dhelwa, P.S. Ram Krishna Nagar, District-Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna, Bihar.
2. The then Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Principal Secretary, Rural Works Department, Bihar, Patna.
4. The Special Secretary, Road Construction Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Singh, Advocate
For the Respondent/s : Mr. Raj Ballabh Prasad Yadav, AAG 11

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 22-08-2022 Heard learned counsels for the parties.

2. The present appeal is against order of the learned Single Judge dated 17.10.2019 passed in C.W.J.C. No. 5207 of 2016.

3. The appellant has made certain allegations against the then Principal Secretary and Special Secretary. *Prima facie* writ petition itself is not maintainable for the reasons that the appellant without approaching the highest authority in the State of Bihar (on Administrative side), filed the writ petition. Further,



the persons whose rights are likely to be affected have not been arrayed as necessary and proper parties. That apart, the appellant has a remedy before the Hon'ble Lokayukta. In the absence of these remedies, the appellant has rushed to this Court in filing writ petition. In the light of these facts and circumstances, appellant has not made out a case.

4. Accordingly, appeal stands dismissed reserving liberty to the appellant to approach appropriate authority/forum before invoking jurisdiction under Article 226 of the Constitution.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

GAURAV S./-

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