

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2817 of 2023

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Sandip Kumar, son of Sri Shiv Shankar Bhagat, Resident of Village and P.O.-
Kathaur, P.S.- Parsauni, District- Sitamarhi (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Govt. of Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Deputy Development Commissioner, Sitamarhi.
4. The District Panchayati Raj Officer, Sitamarhi.
5. The Sub- Divisional Officer, Belsand (Sitamarhi).
6. The Circle Officer, Parsauni (Sitamarhi).
7. The Block Development Officer, Parsauni (Sitamarhi).
8. The MANREGA, Programme Officer, Parsauni (Sitamarhi).
9. The Junior Engineer, MANREGA, Block- Parsauni (Sitamarhi).
10. The Panchayat Technical Assistant, Block Parsauni (Sitamarhi).
11. The Panchayat Rojgar Sewak, Kathaur, Block- Parsauni (Sitamarhi).
12. Dinesh Prasad Yadav, the Mukhiya Gram Panchayat Raj Kathaur, P.S.- Parsauni, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tejendra Sinha, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-04-2023

The above writ petition is filed as a public interest litigation claiming multifarious reliefs, which are vague in itself and thoroughly unconnected with each other.

The first relief prayed for is to remove a building



constructed by the Mukhiya of the Panchayat, encroaching into a public pathway, thus interdicting ingress and egress into Amrit Sarover Pokhar during Chhath Puja and other occasions. If it is a customary right claimed, then it would have to be established in a properly instituted suit before a Civil Forum and there can be no direction to remove the alleged encroachment in a public interest litigation.

The next prayer is as vague as it can be since it seeks for a direction to the District Magistrate, Sitamarhi to conduct an enquiry regarding the implementation of Central Projects without any specific allegation having been raised as to the terms of the scheme having not been followed and the particular scheme where a defalcation has occurred.

The third prayer is for a direction to the Development Commissioner, Sitamarhi to enquire into the misdeeds of the 14th and 15th of the respondents in the Finance Commission Development Project, again a very vague allegation.

The fourth prayer is for a direction to enquire into the illegal activities of the respondents for embezzlement of the public money under different welfare schemes, under the 14th & 15th Finance Commission Project.



We are not persuaded to admit the case, nor issue any directions sought for. If at all any person is aggrieved, he has to approach the Public Grievance Authority or the appropriate Civil Forum for removal of encroachments; the liberty for which is definitely left open. We find no reason to entertain the writ petition filed as a public interest litigation in which we find no specific allegations having been made against the named respondents.

The writ petition stands dismissed with the above liberty.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	05.04.2023
Transmission Date	

