

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4480 of 2023

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Nagarjeet Singh, Son of Late Shivpujan Singh, Resident of Village- Chhitauli
Kalan, Post- Laxmiganj, P.S.- Goraiya Kothi, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Rural Development,
Government of Bihar, Patna.
2. The Collector, Siwan.
3. The Sub- Divisional Officer, Maharajganj, Siwan.
4. The Deputy Development of Commissioner, Siwan.
5. The Block Development Officer, Goraiya Kothi, Siwan.
6. The Awas Sahayak Agya Panchayat, Goraiya Kothi, Siwan.
7. The Mukhiya, Agya Panchayat, Goraiya Kothi, Siwan.
8. Rajnish Kumar Baitha, The Accountant, Awas Yojna, Goraiya Kothi, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Respondent/s : Mr. Ajay, GA-5

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

Date : 14-07-2023

The petitioner, an Ex-Mukhiya of Sagya Panchayat
Goraiya Kothi (Siwan), allegedly motivated by social
responsibility, has approached this Court for an enquiry into the
grant of relief funds of Pradhan Mantri Awas Yojna (for brevity
P.M.A.Y.) to undeserving people within the panchayat. The
petitioner has made allegations against the Awas Sahayak, Block
Development Officer and other Government officials, who are said
to be involved in the so called Awas Yojna Scam; which resulted in



defalcation and misappropriation of public money by misusing official process.

2. The petitioner, makes broad allegation that the list prepared by the Rural Development Department, Bihar produced at Annexure-1 and the merit list prepared as per Annexure-2 was manipulated and without the approval of Gram Sabha, the Block Development Officer and Awas Sahayak included names of persons, who were not actually entitled to the benefits under the P.M.A.Y. Annexure-3 is alleged to be a list of “mostly fake beneficiaries” without actually bringing on record anything to validly demonstrate at least some of the “mostly fake beneficiaries” being not entitled to the relief under the P.M.A.Y. Broad allegations are made against the Awas Sahayak and the Block Development Officer of misappropriation of funds. It is also stated that the petitioner has moved before the Sub-Division Public Grievance Redressal Officer, Maharajganj, Siwan, who issued notice to the Block Development Officer before whom the Block Development Officer refused to appear. It is then stated that the Block Development Officer to save his own skin, issued a show-cause notice to the Awas Sahayak asking him to submit his explanation. But for the broad allegations raised, there is nothing to substantiate a defalcation having been committed except for the fact that the Public Grievance Redressal Officer and Block



Development Officer are seized of the matter. If at all any defalcation is committed, the public authority is seized of the matter but however, there is absolutely no reason to order an inquiry in this public interest litigation; especially for reason of the skimpy facts available to invoke the extraordinary jurisdiction of this Court. It is also pertinent that though allegations are made against the Awas Sahayak and Block Development Officer of having misused their public office, they are not impleaded in their personal capacity.

3. We find no reason to invoke the extraordinary jurisdiction under Article 226 of the Constitution of India and dismiss the writ petition, making it clear that we have not made any observation about the inquiry already said to be initiated by the Public Grievances Redressal Officer and the Block Development Officer.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

aditya/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	20.07.2023.
Transmission Date	N.A.

