

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6247 of 2023

Priya Rani Wife of Rakesh Kumar Resident of Village-Juramanpur, Barari,
P.S.-Juramanpur, District -Vaishali, Present up Parmukh, Ragho pur Block,
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna,
4. The Director, Department of Panchayati Raj, Government of Bihar, Patna,
5. The Joint Secretary, Department of Panchayati Raj, Government of Bihar, Patna,
6. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
7. The District Magistrate, Vaishali.
8. The District Panchayati Raj Officer, Vaishali.
9. The Sub-Divisional Officer Cum Public Grievance Redress Officer, Hajipur, Vaishali.
10. The Block Development Officer Cum Executive Officer, Raghapur, Vaishali.
11. The Pramukh, Raghapur Block, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Respondent/s : Mr.Ajay (GA 5)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

Date : 12-05-2023

Heard learned counsel for the petitioner and learned
counsel for the State.



2. The petitioner, being *Up-Pramukh* of Raghapur Block in the District of Vaishali, has filed this writ petition as a Public Interest Litigation (PIL) seeking directions for conducting an inquiry in alleged misappropriation and misuse of government funds meant for development of the *Panchayat* of Raghapur. Allegations have been levelled regarding misuse of funds by the Block Development Officer, Raghapur Block.

3. The *Up-Pramukh* (petitioner) is elected to the *Panchayat Samiti* constituted under Section 34 of the Act. The powers, functions and duties of the *Up-Pramukh*, vis-a-vis the *Panchayat Samiti* is also defined in Section 43 of the Act. If the petitioner, being an elected representative in the *Panchayat Samiti*, is of the opinion that there is any financial irregularity being conducted at the Block level, she is not helpless to raise the issues through the democratic process as per the Act.

4. We do not find any public interest concerning any marginalized/weaker/inarticulate person or group being espoused by the petitioner by way of the instant proceedings, for which, this writ petition be kept pending. We are also of the opinion that elected representatives cannot be permitted to indulge in local village politics through the PIL jurisdiction of this Court under the extraordinary discretionary jurisdiction



conferred by under Article 226 of the Constitution of India.

5. The writ petition is dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	
CAV DATE	
Uploading Date	18-05-2023
Transmission Date	

