

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9942 of 2023

Rupesh Kumar @ Rupesh Kumar Singh Son of Sri Prakash Singh, Resident of Village/Mohalla- Manjura, P.O.- Lagma, P.S.- Tetiya Bamber, District- Munger. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Secretary, Rural Works Department, Government of Bihar at Patna.
4. The Engineer in Chief cum Special Secretary, Public Health Engineering Department, Bihar, Patna.
5. The Chief Engineer, Public Health Engineering Department, Bhagalpur.
6. The Executive Engineer, Public Health Engineering Department, Munger.
7. The District Magistrate, Munger.
8. The S.D.O., Haweli Kharagpur, Munger.
9. Executive Engineer, Rural Works Department, Work Division, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Respondent/s : Mr. Raghwanand, GA 11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 18-07-2023

Heard learned counsel for the parties.

2. The instant application has been filed by the petitioner for the following relief(s) :

“a) The respondent no. 4 to 7 may be directed to make an independent enquiry with regard to the allotment of work contract in Bhuna Panchayat, Block- Tetiya Bamber, District- Munger (Bihar), of Jal- Nal Yojna (under Mukhyamantri Gramin Peyjal Nishchay Yojna), to one unqualified, less experienced and illegible,



contractor namely Sri Rajendra Singh, because the contract has been given by violating all the norms and against the rules, and because of it the work has not been completed as yet by the contractor, and to take an appropriate legal action immediately; and

b) The respondent no. 3 to 8 may be directed to consider the different representations filed by the petitioner, raising the issues with regard to irregularities in implementation of aforesaid scheme and pass an appropriate and speaking order immediately and take appropriate legal actions against the responsible persons, or

c) Pass such other order/orders as this Hon'ble Court may deem fit and proper.”

3. The petitioner who claims to be a social worker and a school teacher has filed the instant public interest litigation stating that a contract work under the Jal Nal Yojna in Bhuna Panchayat has been given to one Rajendra Singh in violation of the norms and the rules inspite of the fact that he is neither qualified nor experienced.

4. Having perused the material on record it transpires that the contractor against whom the allegations have been leveled by the petitioner in the instant application, filed a complaint before the respondent authorities alleging impediment being



caused by this petitioner in his carrying out the contract work. The Executive Engineer Public Health Division, Munger wrote a letter bearing letter no. 2249 dated 15.9.2022 mentioning about a complaint filed by the contractor and asking the petitioner to show cause as to why appropriate steps be not taken against him for causing disturbance to the contractor including lodging of an FIR etc. The petitioner filed his reply before the respondents on 23.9.2022 and thereafter has filed the instant public interest litigation on 15.3.2023.

5. Besides the above, inspite of having made direct allegations against the contractor Rajendra Singh, the petitioner has not even made him a party respondent in the instant writ application. This application is fit to be dismissed on this ground also.

6. For the reasons stated above, the Court finds no merit in the instant public interest litigation and the same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	27.07.2023.
Transmission Date	

