

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9992 of 2023

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Kumar Santosh Son of Sri Bipin Bihari Srivastava, Resident of village Dharamkhore, P.O. Bardaha, P.S. Asanwa District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. Commissioner, MANREGA, Government of Bihar, Patna.
4. Collector-cum District Magistrate, Siwan (Bihar).
5. District Development Commissioner, Siwan Collectorate Siwan.
6. Block Development officer, Block Andar, District Siwan.
7. Programme Officer, MANREGA, Block-Andar, District Siwan.
8. Sri Amar Nath Ram Son of Sri Kedar Ram, Resident of village Sadalpur P.O. Sakra P.S. Asaw, District Siwan, At present Mukhiya, Arkpur Panchayat, Block -Andar P.S. Asaw, District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shanti Pratap, 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 MR. JUSTICE PARTHA SARTHY)

Date : 18-07-2023

Heard learned counsel for the parties.

2. The instant writ application in the nature of a public interest litigation has been filed by the petitioner for the following relief(s) :

1. That, this writ application is being filed by way of Public Interest Litigation in representative capacity in order to espouse the cause of public at



large in the matter of illegality committed by the Mukhiya, Arkpur Panchayat, Block Andar, District Siwan in connection with the MANREGA (Mahatma Gandhi National Rural Employment Guarantee Act) Scheme.

This writ application is also being filed for a direction to the respondent -3 to set up a high level committee to enquire into the illegality, irregularity and misappropriation of Government's fund of MANREGA Committee by the respondent no.7.

This writ application is also being filed for holding that the respondents authorities concerned are not taking any step in the matter of holding any enquiry for going on illegalities and irregularities in MANREGA Scheme so committed by the Munhia of Gram Panchayat Arkpur, Block Andar, District Siwan.”

3. Having perused the material on record it transpires that the case of the petitioner is that he is an elected ward councillor and also the Deputy Mukhiya of Arkpur Gram Panchayat, under Block Andar in the District of Siwan. Alleging illegalities and irregularities having been committed by the respondent no. 8 while carrying out work under MANREGA, the petitioner prays for a direction to the Commissioner, MANREGA to set up a high level committee to inquire into the illegality, irregularity and misappropriation of government fund by the said



respondent no. 8.

4. On perusal of the material on record, this Court finds that besides the allegations being bald and the writ application lacking in material details, this application appears to have been filed as a result of personal/political rivalry between the Deputy Mukhiya, Gram Panchayat Arkpur (i.e the petitioner herein) and the Mukhiya, Gram Panchayat Arkpur (respondent no. 8). Besides, the petitioner also has an equally alternate and efficacious remedy under the Criminal Procedure Code.

5. So far as the instant Public Interest Litigation is concerned, the Court finds no merit in the same and the application is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	27.07.2023
Transmission Date	

