

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12137 of 2022

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Bihar Pradesh Vidhut Shramik Sangh through its General Secretary, Ranjeet Kumar Mishra, aged 41 about years, Male, son of Late Arvind Mishra resident of (Hudco) 170, Rajbanshi Nagar, B.S.E.B. Colony, P.S.- Shastri Nagar, Patna, Phulwari, Patna, L.B.S. Nagar, Bihar.

... .. Petitioner/s

Versus

1. The Chief Secretary, through State of Bihar.
5. Managing Director, Bihar State Transmission Company Limited, Vidyut Bhawan, Bailey Road, Patna, Bihar.
6. General Manager (HR / Adm.), Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna, Bihar.
7. Shri Raj Narayan Lal, The then General Manager (HR / Adm.), Bihar State Power Transmission Company Limited, Vidyut Bhawan, Bailey Road, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Rai, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Vijay Kumar Verma, Advocate
		Mr. Akhileshwar Singh, Advocate
For Respondent No. 7	:	Mr. Prakash Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 22-03-2023

Bihar Pradesh Vidhut Shramik Sangh through its General Secretary has filed the present writ application in the nature of Public Interest Litigation with the grievance that



Respondent No. 7 has been engaged on contractual basis in Bihar State Power Transmission Company Limited after his superannuation despite the fact that a vigilance case was pending against him. The petitioner is seeking a direction, *inter alia*, to make recovery of the amount paid to Respondent No. 7 as his engagement subsequent to his superannuation itself was bad.

From the pleadings on record, it is evident that a Vigilance Case No. 15/2020 has been registered. Respondent No. 7 is no more an employee of the Power Transmission Company.

Learned counsel for the petitioner has argued that the criminal case against Respondent No. 7 is moving with slow pace, inasmuch as, even charge-sheet has not been filed by the Vigilance.

Investigation in a criminal case lies within the exclusive domain of the police/investigating agency. The relief which the petitioner is seeking in the nature of direction to the respondents to recover the amount from Respondent No. 7, in the facts and circumstances of the case, does not appear to be genuine.

In our considered view, this Public Interest Litigation



lacks *bona fide* and deserves to be dismissed, which is
dismissed accordingly.

(Chakradhari Sharan Singh, ACJ)

(Madhuresh Prasad, J)

P.K.P./Anushka

AFR/NAFR	
CAV DATE	
Uploading Date	28.03.2023
Transmission Date	

