

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11546 of 2023

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Aman Kumar, Son of Pawan Prasad, Resident of Village-Ramdohar, Anchal-
cum-Block-Dumariya, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Rural Development Department,
Government of Bihar, Patna.
4. The Director, Vigilance Department, Government of Bihar, Patna.
5. The Development Commissioner, Bihar, Patna.
6. The District Magistrate, Gaya.
7. The Deputy Development Commissioner Gaya.
8. The Sub Divisional Officer, Sherghati, Gaya.
9. The Accommodation Assistant (Aawash Sahayak), Aawash Yojana, Rural
Development Department, Gaya.
10. The Executive Engineer, Aawash Yojana, Rural Development Department,
Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Respondent/s : Mr. P.K. Shahi (AG)

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

Date : 18-08-2023

The writ petition is in the nature of a public interest litigation seeking a mandamus or an appropriate order commanding the respondents to conduct proper investigation of financial irregularities of Block-Dumariya, District-Gaya, in the implementation of Pradhan Mantri Awas Yojana (PMAY). It is



also prayed that the Director, Vigilance Department, Government of Bihar, Patna may conduct a proper investigation into the relationship between the Block authority and the Bank which was involved in the illegal transaction of money.

2. Neither the Bank has been named or impleaded nor is the impleadment of officials, who are alleged to have misappropriated money, carried out in their personal capacity. The petitioner merely assumes that there has been embezzlement of money under the PMAY without any substantiation. Annexure-3 is said to be a report of the District Authority wherein nine persons are alleged to have been given benefits of the scheme, who happen to be husband and wife. An explanation has been called for, but again none of these nine persons have been impleaded here. Again in paragraph-12, it has been stated that in the financial year 2021-22, the following persons were issued with the benefits under the scheme, but the money was transferred to a different account. One of the persons referred to has also given a complaint as per Annexure-5.

3. We are of the opinion that there are little facts available to order an enquiry and in any event, the authorities have been apprised of some irregularities. As we noticed, none of the persons against whom allegations are raised, have been



impleaded and it is not proper for this Court to direct a roving enquiry to be conducted, also based on very scanty material.

4. The writ petition would stand closed, but however without prejudice to any enquiry carried out by the District Authorities.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sunil/-

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CAV DATE	
Uploading Date	22.08.2023
Transmission Date	

