

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14407 of 2023

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1. Rajesh Kumar Yadav son of Late Deep Narayan Yadav, Resident of Village-Turki Ward No. 2 Police Station-Simari Bakhatiyarpur, Distt.-Saharsa.
 2. Md. Imran, son of Idrish, Resident of Village-Tariyama, Ward No. 12 (Nusrath Chakla), Police Station-Simari Bakhatiyarpur, Distt.-Saharsa.
 3. Randhir Kumar, son of Parmeshwar Sahu, Resident of Village-Tariyama, Ward No. 8, Police Station-Simari Bakhatiyarpur, Distt.-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Rural Development, Govt. of Bihar, Patna.
3. The Director, Department of Rural Development, Govt. of Bihar, Patna.
4. The Lokpal MANREGA District Rural Development Saharsa.
5. The District Magistrate, Saharsa.
6. The Programe Officer MANREGA, Simari Bhakhtiyapur, Saharsa.
7. The Panchayat Secretary, Tatiyama Gram Panchayat, Simari Bhakhtiyarpur, Saharsa.
8. The Accountant MANREGA, Simari Bakhtiyarpur, Saharsa.
9. The Mukhiya, Gram Panchayat Tariyama, Simari Bakhtiyarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prafull Chandra Thakur, Advocate
For the Respondent/s	:	Smt. Binita Singh, SC-28
		Mr. Nishant Jha, AC to SC-28

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJIV ROY

Date : 10-10-2023

The present Public Interest Litigation has been preferred by the writ petitioners for a direction upon respondent authorities to enquire into the financial irregularities being done by the State agency under "MANREGA" scheme at Tatiyama Gram Panchayat, Simari Bakhtiyar, Saharsa.

2. The petitioners claim themselves to be social



workers espousing the cause of the common people. They claim that Mahatama Gandhi National Rural Employment Guarantee Act, 2005 (henceforth for short 'the MANREGA') is the scheme to provide 100 days Guaranteed Wage Employment in every financial year.

3. Further case is that the Union Rural Development Ministry has given number of schemes that can be taken up under 'the MANREGA' which are as follows:

- (i) rural drinking water project;*
- (ii) agriculture and allied activities;*
- (iii) rural sanitation project;*
- (iv) irrigation and flood management works;*
- (v) live stock related works;*
- (vi) fisheries;*
- (vii) construction of Anganwari center etc.*

4. The allegation in the writ petition is that the local respondents are misappropriating 'the MANREGA' fund which has been brought to the notice to the Lok Pal under District Rural Development Agency, Saharsa who also wrote a letter to the Commissioner, 'the MANREGA', Rural Development Department,



Bihar, Patna vide letter no. 88-1 dated 21.4.2023 drawing his attention to the representation of the petitioners.

5. We have gone through the contents of the writ petition. The petitioners have chosen to make allegation against number of persons/respondent authorities and no document is on record to substantiate the claim/allegation made therein. Further, none of them have been made party respondent in this case so that they can respond to the allegation(s).

6. If the petitioners have documents, the same can be annexed with the complaint duly put on affidavit and can be submitted before the appropriate authority, the Vigilance Department, Bihar, Patna. Instead, on the vague allegation and without any single document to support the same, this petition has been filed.

7. The writ petition is misconceived, bereft of merit and is accordingly dismissed.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.10.2023
Transmission Date	

