

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16719 of 2023

=====

Sujit Kumar, Son Madan Singh, Resident of Village- Akhlaspur, Post Office- Akhlaspur, Police Station- Bhabhua, District- Kaimur, Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Additional Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The Commissioner, Patna Division, Patna
5. The District Magistrate, Kaimur, Bhabhua.
6. The Deputy Development Commissioner, Kaimur, Bhabhua.
7. The District Panchayati Raj Officer, District- Kaimur, Bhabhua.
8. The Block Panchayati Raj Officer, Block- Bhabhua, District- Kaimur, Bhabhua.
9. The Panchayat Secretary, Panchayat- Akhlaspur, Block-Bhabhua, District- Kaimur, Bhabhua.
10. The Technical Assistant, Panchayat- Akhlaspur, Block-Bhabhua, Kaimur.
11. The Mukhiya Panchayat, Akhlaspur, Block- Bhabhua, District- Kaimur, Bhabhua.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, A.G.
		Mr. Vikas Kumar, Advocate
		Mr. Vipin Kumar, Advocate
		Mr. Rajesh Kumar, Advocate
		Mrs. Anjali Kumari, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-12-2023

The present writ petition is filed purportedly to protect the interest of the villagers who reside within Akhlaspur Panchayat. The petitioner claims that the respondent-authorities have been



implementing the schemes for development works with gross irregularities.

2. It is pertinent that not even one incident of such an irregularity has been pointed out in the writ petition and broad allegations are made without any specifics. There is also nothing stated as to any of the villagers having been wrongly denied the benefit of such schemes. In fact, Annexure P-3 indicates that on the basis of enquiry report of the Block Panchayat Raj Officer, Bhabhua, the District Magistrate, Bhabhua had issued a notice to the Mukhiya, Panchayat Secretary and Technical Assistant. The public interest litigation in this context is misconceived and is an abuse of process of the Court since bland allegations are made without any specific instance pointed out.

3. We reject the public interest writ petition, but, however, make it clear that the dismissal shall not be a fetter on the enquiry initiated by the District Magistrate as per Annexure-P-3, which shall be taken to its logical conclusion.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	02.12.2023
Transmission Date	

