

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1221 of 2023

Shiv Pujan Baitha, son of Kedar Baitha, Resident of Village- Pachara Got,
P.S.- Tariyani, District- Sheohar.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Panchayat Raj Department Bihar, Patna.
2. The District Magistrate, Sheohar.
3. The Deputy Development Commissioner, Sheohar.
4. The District Panchayat Raj Officer, Sheohar.
5. The Block Panchayati Raj Officer-cum- Executive Officer, Panchayat Samiti Tariyani, District- Sheohar.
6. The Panchayat Secretary, Gram Panchayat Raj Pojhiyan, Block Tariyani, District- Sheohar.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Sri Krishna Ranjan, Advocate Mr. Arbind Kumar, Advocate
For the Respondent/s	:	Mr. Ajay, GA-5

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

Date : 07-02-2023

The petitioner is Up-mukhiya of Pojhiyan Gram Panchayat in the district of Sheohar and a Ward member of Ward No. 8. He has filed the present writ application seeking a direction to the respondents to implement the development works in the said Ward, which are pending since the financial years 2016-17 to 2020-21 and also to take action against the persons responsible for non-implementation of the development schemes.



In response to a query made by this Court, learned counsel for the petitioner has drawn our attention to a representation made on 05.10.2022 before the District Magistrate, Sheohar, and District Panchayat Raj Officer, Sheohar, in this regard. It is curious to note that soon after the filing of the said representation, the petitioner filed this writ application on 13.12.2022, for the reasons best known to him, raising issues relating to non-implementation of the development work, which were pending right since the financial year 2016-17. It is manifest that this writ application, filed in the nature of Public Interest Litigation, is in fact a private interest litigation which lacks bonafide.

This application is accordingly dismissed with a cost of Rs.5000/- to be deposited in the account of Gram Panchayat Raj, Pojhiyan, within a period of two months from today.

(Chakradhari Sharan Singh, ACJ)

(Partha Sarthy, J)

Avinash/Prakash

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.02.2023
Transmission Date	N/A

