

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8324 of 2024

Shankar Rajak Son of Hajari Rajak, Resident of Naya Tola, Garbhu Asthan,
Purani Bazar, P.S. Lakhisarai, District Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Bihar, Patna.
2. The Secretary, Public Health Engineering Department, Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Bihar, Patna.
4. The Senior Research Officer, State Level Water Testing Lab, Chhajjubag, Patna.
5. The Superintending Engineer, Public Health Circle, Begusarai.
6. The Regional Chief Engineer, Bhagalpur.
7. The Junior Engineer, Lakhisarai, Suraygarha, Barahia, District Lakhisarai.
8. The Chemist, Public Health Division, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the Respondent/s : Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

- 3 05-07-2024 1. Heard learned counsel for the petitioner and learned
counsel for the respondents.
2. The petitioner has filed the instant application for the
following reliefs:

*1) For issuance of an appropriate writ in the
nature of mandamus commanding and directing
the Respondent authorities to set up an
independent enquiry by other than the
department concern as the Respondent*



authorities in collusion with each other have flouted the guidelines issued vide Memo No. 4295 dated 03.09.2019 whereby they have embezzled the crores of rupees from the public exchequer in installation of Arsenic Treatment Plant under the scheme of "हर घर नल का जल" in garb of supplying portable water to the household in the district of Lakhisarai.

(ii) For further prayer to fasten the liability of the officers involved in the present malpractices in the embezzlement of public money in utter violation of the guidelines aforesaid and installation of the water treatment plant without its requirement.

(iii) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.

3. The petitioner who claims himself to be a social worker and a conscious citizen of the society has filed the instant case in the nature of a public interest litigation for a direction from this Court for setting up an independent enquiry into the action of the respondent authorities who by flouting the guidelines have embezzled crore of rupees from the public exchequer.

4. The case of the petitioner in brief is that even when on testing, arsenic contents were not found in the water, contrary to the guidelines, water treatment plant has been installed causing great loss to the public exchequer. It is further stated that some of the local chemists were compelled to sign over false report of the testing of the water sample, the complaint of which was



lodged by the Chemist before the higher authorities but no action was taken. Hence the writ application.

5. The application is opposed by learned counsel appearing for the respondents.

6. Having heard learned counsel for the parties and having perused the materials on record, this Court finds that not only the writ application is lacking in material particulars including as to what consequential steps were taken by the Chemist concerned on his 3 years old representation brought on record in the application, the petitioner has also not impleaded any of the officers in their personal capacity against whom the allegations are being levelled in this writ application

7. In view of the facts and circumstances of the case, the Court does not find it to be an appropriate case for being entertained in the nature of a public interest litigation.

8. The application is dismissed.

(K. Vinod Chandran, CJ)

Bibhash/-

U			
---	--	--	--

(Partha Sarthy, J)

