

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12023 of 2024**

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Amit Kumar, Son of Sri Mahesh Prasad, Resident of Kowali Chauk, Ward  
No. 30, P.O.-Bhavara P.S. Town, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Urban Development and Housing  
Department, Govt. of Bihar, Patna.
3. The Additional Director General of Police Vigilance Investigation Bureau,  
Bihar, Patna.
4. The Special Officer on Duty Urban Development and Housing Department,  
Bihar, Patna.
5. The Divisional Commissioner, Darbhanga Commissionery, Darbhanga.
6. The District Collector, Madhubani.
7. The Municipal Corporation, Madhubani through Municipal Commissioner,  
Madhubani.
8. The Executive Officer, Municipal Corporation, Madhubani.
9. The Former Executive Officer Nagar Parishad Madhubani namely Ashutosh  
Anand Choudhary through District Collector, Madhubani.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Maya Shankar Mishra, Advocate     |
| For the Respondent/s | : | Mr. P.K. Shahi, Advocate General      |
|                      |   | Mr. Nilendu Kumar Choudhary, Advocate |

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

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      14-08-2024                      The learned counsel for the petitioner points out

Annexure-6, wherein a writ petition for the similar relief was

dismissed since the persons against whom allegations were



made were not impleaded *eo nomine*.

2. There was no liberty sought for or granted for filing a fresh writ petition. While filing the above writ petition for the very same relief, the petitioner has impleaded the Municipal Corporation but not the Officials in the personal capacity, against whom allegations have been raised in the writ petition. Only the 9<sup>th</sup> respondent has been impleaded in the personal capacity. Further allegations are seen raised against one Junior Engineer, the Sashakt Sthayi Samiti of the Nagar Parishad and an agency namely the Saraswati Art and Culture, none of whom have been impleaded in the present writ petition also.

3. We also see from the averments that the matter raised by the petitioner before the authorities have now reached the Vigilance Investigation Bureau. We find absolutely no reason to precipitate any action by orders issued from this Court. The petitioner's prayer to direct registration of an F.I.R. cannot be done under Article 226 of the Constitution of India on the basis of the minimal facts pleaded by the petitioner; more in the manner of bland statements and allegations without any substantiation. We find the writ petition to be misconceived.



4. The writ petition is dismissed as withdrawn cautioning the petitioner from attempting similar exercises in future; which if carried out would be dealt with seriously by this Court.

**(K. Vinod Chandran, CJ)**

**(Partha Sarthy, J)**

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