

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14983 of 2024

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Bablu Kumar Ray Son of Ram Rajendra Ray, Resident of Vill-
Mahammadpur, Saran, P.S.-Garkha, Dist-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Magistrate, Saran, Bihar.
3. The Block Development Officer cum Executive Magistrate, Garkha Block, District-Saran, Bihar.
4. Pramukh, Panchayat Samiti Garkha Block, District-Saran, Bihar.
5. Up-Pramukh, Panchayat Samiti, Garkha Block, District-Saran, Bihar.
6. Panchayati Rajya Officer Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amit Srivastava, Sr. Advocate Mr. Rajesh Roy, Ms. Nikita Mittal, Advocates.
For the Respondent/s	:	Standing Counsel (21)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-09-2024 Heard Mr. Amit Srivastava, learned Senior Counsel

for the petitioner duly assisted by Ms. Nikita Mittal for the for

the petitioner and learned counsel for the State.

2. That the present writ application has been filed for

the following reliefs:

*“(i) For issuance of a writ/s, order/s,
direction/s preferably in the nature of
mandamus directing and commanding the
respondent authorities to restrain Pramukh,
Garkha, from using the public money as he has
been illegally using the public money without
any authority and sanction/ Confirmation from
the ward members of ward.*



(ii) Issue a writ/s, order/s, direction/s in the nature of mandamus commanding the Respondents to conduct a thorough inquiry into the fraudulent passing of plans and schemes without proper meetings, discussions, or the formation of seven-member committee, and to take appropriate legal action against those responsible for forging signatures;

(iii) Directing the respondent authority to conduct fair inquiry against the Pramukh for misusing his power and forging the signatures of ward members in embezzlement of public money without complying with mandatory provisions Contained in Bihar Panchayat Raj Act.

(iv) To hold and Declare the action of Pramukh to be illegal and arbitrary.

(v) For any other reliefs which the petitioner is found entitled to in the facts and circumstances of the case.”

3. The kind of prayer that has come in the writ petition clearly shows that the petitioner instead of approaching the Court under Article 226 of the Constitution of India, should have moved before the Vigilance Department who are better placed to look into the matter.

4. In that background, the learned Senior Counsel for the petitioner submits that he is ready to appear before the Vigilance Department along with affidavit to show the irregularities and illegalities in next four weeks.

5. Needless to say, once the petitioner appears, the



Vigilance Department is required to look into the matter and take steps if the Department finds that the petitioner has made out a case.

6. Granting the said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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