

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22657 of 2019

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Bipin Kumar, son of Basant Sathe resident of Village and PO and PS-
Sarmera, Distt- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social and Welfare Department, Bihar, Patna.
2. The Director, I.C.D.S. Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda.
5. The District Public Grievances, Redressal Officer, Nalanda.
6. The District Education Officer, Nalanda.
7. The District Programme Officer, Nalanda.
8. The then Child Development Project Officer, Sarmera, District- Nalanda namely Smt. Sangeeta Kumari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr.Sunil Kumar, SC 3
Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 26-02-2024

None appeared for the petitioner in the morning
when the list of cases was called out. The matter was kept
aside for hearing and even when the case was taken up later,
there was no representation. We heard the learned



Government Pleader.

2. The writ petition filed as public interest litigation, seeks for an inquiry into the illegalities committed by the 8th respondent. The 8th respondent is said to be the person who was holding the post of Child Development Project Officer, Sarmera, Nalanda between 2014 to 2018. It is not clear as to where she is posted now nor has she been impleaded in the personal capacity. We find the writ petition filed in such a manner without impleading the party against whom the complaint is raised, to be totally misconceived.

3. The counter affidavit refers to the various allegations raised against the Child Development Project Officer, who is also named in the counter affidavit. In fact, the same was raised by the petitioner before the District Public Grievance Cell, Nalanda by way of filing a complaint as early as on 14.03.2018. The matter was then transferred to the 7th respondent for inquiry; the report of which is produced as Annexure-A. The District Public Grievance Cell, Nalanda considered the report and found that there is no merit in the allegations raised and that the accusations have not been proved in the inquiry. The petitioner's complaint was dismissed by the 5th respondent on 10.10.2018.



4. An appeal was filed by the petitioner before the 3rd respondent, which was also disposed of on 28.12.2018. In appeal, the Appellate Authority only found that it transpires that procedural error had occurred in the hiring of private vehicles and the officer was directed to exercise more care and caution in future. Again, the petitioner had raised the issue before the Lokayukta, Bihar, which was also rejected.

5. The various orders are produced as Annexures B, C and D. When an inquiry was conducted and it has been found by the District Public Grievance Cell, Nalanda and the Appellate Authority that there was nothing more than procedural irregularities; there was absolutely no necessity to file the above writ petition.

6. As we noticed, the writ petition has also been filed without impleading the person against whom allegations are raised. The writ petition, hence, is found to be misconceived, misplaced and an abuse of process of court.

7. We dismiss the writ petition imposing a cost of Rs. 5,000/- on the petitioner to be recovered by the Bihar State Legal Services Authority, as amount due on land revenue.

8. Let a copy of this order be transmitted to the



Member Secretary, Bihar State Legal Services Authority.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	28.02.2024
Transmission Date	

