

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18373 of 2023

=====

Mamta Kumari Daughter of Surendra Saw, Resident of Village-Dihuri,
Haspura, Police Station-Haspura, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department,
Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar,
Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Panchayat Raj Officer, Muzaffarpur.
5. The Block Panchayati Raj Officer, Aurai, District-Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Advocate
For the Respondent/s : Mr. P.K. Shahi, A.G.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE RAJIV ROY)
Date : 12-01-2024

Heard the parties.

2. The present writ petition has been filed for directing the respondent authorities to make enquiry into the misuse of public fund by the ‘Mukhiyas’ relating to different schemes.

3. The petitioner claims herself to be a Social Worker and is perturbed by the misuse of fund by the ‘Mukhiyas’ in the name of schemes and in furtherance of that



claims that the 'Mukhiyas' of the Gram Panchayat Aurai, Rajkhand (South), Muzaffarpur are not following the rules and regulations related to the running of the scheme and has thus misappropriated the public fund. She also claims to have approached the Principal Secretary of the Panchayati Raj Department, Bihar, Patna.

4. From the writ petition, it is clear that a vague charge has been made on all the 'Mukhiyas' of the State *inasmuch* as neither any detail has been incorporated nor the scheme has been mentioned. None of the 'Mukhiyas' are made parties in the writ petition, either in their official or in their personal capacities. In short, the petition is ill prepared.

5. This Court fails to understand why the petitioner has approached the Patna High Court under Public Interest Litigation for a direction upon the concerned authority to act against the officials in the Gram Panchayat Aurai, Rajkhand (South) for the embezzlement of amount.

6. The State is fully equipped to check the said irregularity and take the concerned officials under its net. In other words, the State Vigilance Department is fully functional, any person armed with documents can approach the Department alongwith its affidavit and the machinery will automatically



start rolling.

7. The writ petition stands dismissed. We refrain from imposing any cost on the petitioner.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Neha/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.01.2024
Transmission Date	

