

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1409 of 2024

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Alok Kumar Son of Late Nagendra Ram, Resident of Village - Kuiyan, Post-Jaitpur, P.S. - Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Principal Secretary, Department of Public Health Engineering, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Panchayati Raj Officer, Muzaffarpur.
5. The Sub-Divisional Officer, West, District - Muzaffarpur.
6. The Block Development Officer, Saraiya, District - Muzaffarpur.
7. Pankaj Singh, Mukhiya, Gram Panchayat - Amaitha, Block - Saraiya, District - Muzaffarpur.
8. Suresh Prasad Singh, Panchayat Sachiv, Gram Panchayat Raj- Amaitha, Block - Saraiya, District - Muzaffarpur.
9., Technical Assistant, Gram Panchayat Raj- Amaitha, Block - Saraiya, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr. Bipin Chandra
For the Respondent/s : Mr. Standing Counsel (24)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-02-2024

The above writ petition is filed with a broad prayer of ensuring the proper work under the “Sat Nischay Yojna”, “Nal-Jal Yojna” and “Manrega” in the various



Wards of Panchayat-Amaitha, Block-Saraiya, District Muzaffarpur. There is also direction sought to conduct inquiry into the illegality of the works conducted by the Mukhiya, Panchayat Sachiv and Technical Assistant in the last two years.

2. The petitioner, by the above writ petition wants the High Court to supervise the implementation of the schemes, which is not possible. The petitioner has not pointed out the instances in which there was a defalcation of amounts or faulty implementation. It is also very pertinent that though the Mukhiya and Panchayat Sachiv have been impleaded in their personal capacity as respondent No.7 and 8 respectively, respondent No.9 is not so impleaded and his name is kept blank in the memorandum, showing the casual manner in which the writ petition has been filed. We also see in paragraph 4 that one instance of a road construction, which was asserted to be faulty, is not stated to be under one or the other scheme referred to.

3. We find the above the writ petition to be a publicity induced litigation and not a public interest litigation. We reject the same imposing a cost of Rs.5000/-



on the petitioner which shall be paid to the Bihar State Legal Services Authority. The petitioner shall pay the said amount within a period of two months, and if not, the Bihar State Legal Services Authority shall be entitled to proceed for recovery by taking measures similar to recovery of arrears due on land through the District Magistrate, in which event the petitioner shall be liable for the charges incurred for making such recovery, which have to be recovered by the State.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

sharun/-

AFR/NAFR	
CAV DATE	
Uploading Date	06.02.2024
Transmission Date	

