

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5171 of 2024

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Aakash Kumar Son of Jitendra Singh Resident of Village and P.O.-Purata,
P.s.-Amba, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Development Department, Patna, Bihar.
2. The Principal Secretary, Rural Development Department, Patna, Bihar.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Aurangabad, Bihar.
5. The Deputy Development Commissioenr, Kutumba, Aurangabad, Bihar.
6. The District Panchayat Raj Officer. District-Aurangabad, Bihar.
7. The Block Development officer, Block-Kurumba or Amba, District-Aurangabad.
8. The Block Panchayat Raj Officer, Block-Kurumba or Amba, District-Aurangabad, Bihar.
9. The Panchayat Secretary, Panchayat Parta, Block-Amba of Kutumba, District-Aurangabad. Bihar.
10. The Panchayat Mukhiya Panchayat Parta, Block-Amba of Kutumba, District-Aurangabad. Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bhim Sen Upadhyay, Advocate
For the Respondent/s : Mr.Saroj Kumar Sharma, AC to AAG-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-08-2024

The above Public Interest Litigation has been filed
with bland allegations and without impleading the parties *eo-*



nominee; against whom allegations are raised.

2. The petitioner in the writ petition contends that there is brazen loot of the Panchayat fund under Block- Amba or Kutumba in District-Aurangabad by the Mukhiya, Secretary and the Block Officer. The Petitioner has also filed three representations. The petitioner has merely stated that the Mukhiya along with the Officers are implementing the Panchayat Schemes behind close doors without any concern for the development of the Panchayat. It is also submitted that in the *Aam Sabha*, only seven to eleven persons, including the ward members, are present. But for the above vague allegations without any reference to a particular scheme, the writ petition has been filed.

3. On the first day, none appeared for the petitioner and then on three dates, when the matter was posted, there were requests for adjournment made by the learned Counsel for the petitioner. Today also, a prayer for adjournment was made which we declined. The matter was kept aside and when it was taken up for hearing, none appeared.

4. Though notice was not issued and the writ petition was not admitted, still a counter affidavit is filed by the Respondents No. 4 to 8. It is stated that pursuant to the



representation of the petitioner, the District Panchayat Raj Officer, Aurangabad has conducted an enquiry on each and every point raised by the petitioner; in accordance with the directions of the Minister of Rural Development, Government of Bihar. The report is produced as Annexure-R/A. The District Panchayat Raj Officer found that the meeting of the Gram Sabha of Parta Panchayat has been organised by the elected Mukhiya/Panchayat Secretary in the presence of the villagers regularly in due intervals; which is evident from the proceedings of the Gram Sabha. The Enquiry Officer had also examined the implementation of the different schemes in Ward Nos. 3 to 6 of *Parta* Panchayat. It was found that work has been completed and the people of the locality had no complaint about the work. Solar street lights were also found installed in Ward Nos. 4, 5, 6 and 11 of the Panchayat. The allegations are said to be not valid.

5. We find absolutely no reason to keep the writ petition pending. We also notice that the report of the Panchayat Raj Officer, produced as Annexure-R/A is dated 20.09.2023, long before filing of the writ petition. We caution the writ petitioner from initiating similar Public Interest Litigations without proper details and without impleading the



necessary parties.

6. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	28.08.2024
Transmission Date	

