

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5979 of 2025

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Kavita Devi Wife of Raghu Manjhi Resident of Village- Bhulua, P.S.-
Barachatti, District- Gaya, at Present- Parmukh of Baraachatti Block, Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Mgnrega Commissioner, Department of Rural Development, Government of Bihar, Patna.
3. The Secretary, Department of Rural Development, Government of Bihar, Patna.
4. The Director, (Social Forestry), Department of Rural Development, Government of Bihar, Patna.
5. The Additional Secretary, Department of Rural Development, Government of Bihar, Patna.
6. The Divisional Commissioner, Gaya Division, Gaya.
7. The District Magistrate Cum Collector, Gaya.
8. The Deputy Development Authority, Gaya.
9. The Director, Rural Development Authority, Gaya.
10. The Mgnrega Program Officer, Baraachatti, Gaya.
11. The junior Engineer, (Manrega) Baraachatti, Gaya.
12. The M/s M.S. Badal Enterprises, Vendor.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s : Mr. Advocate General

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

6 12-11-2025 Following are the reliefs sought in the present writ
application:-



“1. That this is an writ application civil in nature of Public Interest litigation is filed under Article 226 of Constitution of India praying for a writ of mandamus or any other appropriate writs seeking issuance of Specific direction to the respondents authorities to conduct enquiry through Vigilance Department for embezzled the Rupees 67,08,231 (Rs. Sixty Seven Lakh Eight Thousand Two Hundred Thirty One) Only of Mngrega amount by the Mngrega Program Officer, Barachatti and Junior Engineer (Mgnrega) Barachatti Block, in the following facts and circumstances of the case.

2. That the petitioner's prays for following relief's as under:-

(i) To issue writ (s) mandamus in nature directing the respondents authorities to conduct enquiry against the Mgnrega amount has been embezzled by the Mgnrega Program Officer, Barachatti and Junior Engineer (Mgnrega) Block Barachatti Block, Gaya Approximately Rupees 67,08.231=00 (Rs. Sixty Seven Lakh Eight Thousand Two Hundred Thirty One) only.

(ii) To issue writ(s) mandamus in nature directing the respondent no-3 to enquired the Mgnrega fund issued by the



Government of India for Social work, construction, and forestry in the Panchayat Barachatti block namely (1) BUMER, (2)JAIGIR(3) DIBANIA (4) JHAJH, and other,s Panchayat of Barachatti Block Scheme is going on.

(iii) To issue writ(s) mandamus in nature directing the respondents authorities to enquired illegal Mgnrega amount drown to the bogus Name of Mazdoor/Mgnrega House and Tree Plantation, Animal Shed, Tank, construction of Irrigation Kup, PCC, Public Kup but not made any scheme /project by the contractor but amount has been drown by the Mgnrega Proagram Officer, Barachatti and Junior Engineer (Mgnrega) Barachatti.The above scheme/project approved by the Ministry of Rural Development, Government of India under Mahatma Gandhi National Rural Employment Act.

(iv) To Pass such other relief's for which the petitioner is entitled to.”

2. At this juncture, it is pertinent to refer to the statements made in paragraph nos.4 and 5 of the counter affidavit filed by the Director, DRDA, NEP, Gaya on behalf of Respondent Nos. 7 to 11 which are quoted hereinbelow:-

“4.That the statement made in Paragraph



No 1 & 2 of the writ application are the reliefs sought for by the petitioner cannot be granted to her on account of the fact that the petitioner had made complaint before Lok Pal MGNREGA, Gaya with respect to MGNREGA schemes of Panchayat Devaniya, Jaigir Jhajh, Bumer and Sarwan under Barachatti Block who constituted Case no. 04/2024-2025 wherein after details enquiry as well as on the basis of materials available on the record, he specifically held that no any irregularity or illegality was observed/found in the MGNREGA schemes in the said Panchayats as alleged by the petitioner, Kavita Devi vide order contained in memo no. 11 dated 23/01/2025 in as much as previously also one Kewal Singh Bhogta made complaint before the District Magistrate, Gaya with respect to irregularities and illegalities in MGNREGA schemes of Jaigir Panchayat under Block Barachatti upon which the District Magistrate, Gaya directed the SDM, Sherghati to make enquiry and submit her report and accordingly the SDM, Sherghati had submitted her report contained in memo no. 607 dated 24/05/2024 wherein the said SDM, Sherghat after making detail enquiry came



to the conclusion that no any irregularity or illegality has been committed in MGNREGA schemes in Panchayat Jaigir under Block Barachatti and as such the present application is devoid of merit and fit to be dismissed.

5. That it is humbly submitted that from perusal of the enquiry report submitted by the SDM, Sherghati, it is apparent that the aforesaid complainant before the District Magistrate, Gaya namely Kewal Singh Bhogta, ward member, ward no. 10, Panchayat Barachatti had appeared before the SDM Sherghati and specifically admitted that few persons are trying to make unnecessary hinderance in the works going on under MGNREGA schemes and in pursuance thereof they have obtained his thumb impression on blank paper in as much as he further requested that he wants to withdraw the complaint alleged to have been made by him and accordingly he sworn affidavit dated 11/05/2024 to that effect.”

3. Considering the statements made in the counter affidavit, we are of the view that no further order is required to be passed in the present writ application.

4. Accordingly, the present writ application stands



disposed of.

5. Pending application(s), if any, shall also stand
disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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