

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13541 of 2025

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Durgesh Kumar S/o- Late Dulare Prasad R/o- Adarsh Nagar Loharpatti, P.S-
Mairwa, District- Siwan, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar.
3. The Additional Chief Secretary, Urban Development and Housing Department, Govt. of Bihar.
4. The Principal Secretary, Vigilance Department, Govt. of Bihar, Patna.
5. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
6. Officer on Special Duty, Urban Development and Housing Department, Govt. of Bihar, Patna.
7. The District Magistrate, Siwan, Bihar.
8. Ms. Archana Kumari, Executive Officer, Nagar Panchayat, Mairwa, Siwan, Bihar.
9. Shri Ranjit Kumar, Executive Assistant Nagar Panchayat, Mairwa, Siwan, Bihar.
10. Shri Paras Nath Verma, Principal Assistant, Nagar Panchayat Mairwa, Siwan, Bihar.
11. Smt. Subhawati Devi, Chairman, Nagar Panchayat, Mairwa, Siwan, Bihar.
12. Smt. Rima Singh, Vice Chairman, Nagar Panchayat Mairwa, Siwan, Bihar.
13. Shri Bihari Lal, Ward Commissioner cum Member of Board Committee, Nagar Panchayat Mairwa, Siwan, Bihar.
14. Smt. Sushila Devi, Member of Board Committee, Nagar Panchayat, Mairwa, Siwan, Bihar.
15. Shri Sahawaz Ali, Proprietor of B Dada Enterprises, Saran.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Priyam Raj, Advocate
For the Vigilance : Mr. Anil Singh, Advocate

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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)

2 31-10-2025 Following is the relief sought for in the present writ application:-

“a) To direct the concerned Respondent authorities to initiate departmental proceeding against Ms. Archana Kumari, Executive Officer, Nagar Panchayat, Mairwa (Respondent No.-8) for charges of misappropriation of government funds of 15th Finance and negligence in duty by conspiring in a planned manner with the members of the Standing Committee Nagar Panchayat, Mairwa.

b) To direct the concerned Respondent authorities to initiate further legal action against Ms. Archana Kumari, Executive Officer, Nagar Panchayat, Mairwa, (Respondent No.-8), after inspection and investigation of the acquired property, by Vigilance Department during posting period in Mairwa as an Executive Magistrate.

c) To direct the concerned Respondent authorities to suspend Shri. Ranjit Kumar, Executive Assistant, Nagar Panchayat, Mairwa (Respondent No.-9) and Shri Paras Nath Verma, Principal Assistant, Nagar Panchayat Mairwa (Respondent No.-10) and to initiate further legal action after



inspection and investigation of their acquired property by Vigilance Department.

d) To direct the concerned Respondent authorities to remove Smt. Subhawati Devi, Chairman, Nagar Panchayat, Mairwa (Respondent No.-11), Smt. Rima Singh, Vice Chairman, Nagar Panchayat Mairwa (Respondent No.-12), Shri Bihari Lal, Ward Commissioner cum Member of Board Committee, Nagar Panchayat Mairwa (Respondent No.-13), Smt. Sushila Devi, Member of Board Committee, Nagar Panchayat, Mairwa (Respondent No.-14) from their post and to initiate further legal action against them after inspection investigation of their acquired property and assets by Vigilance Department.

e) To direct the concerned Respondent authorities to register an FIR against B Dada Company, Saran i.e Respondent No.-15 for fraudulently obtaining government tender on the basis of fake documents and to permanently blacklist the B Dada Company, Saran i.e Respondent no-15 from participating in any tender and initiate action to recover the money misappropriated.

f) To direct the concerned Respondent authorities to initiate actions to



take the government money back from the B DADA ENTERPRISES Company, Saran i.e Respondent No.-15 in a time bound manner.

g) To prohibit Smt. Subhawati Devi, Chairman, Nagar Panchayat, Mairwa (Respondent No.-11), Smt. Rima Singh, Vice Chairman, Nagar Panchayat Mairwa (Respondent No.-12), Shri Bihari Lal, Ward Commissioner cum Member of Board Committee, Nagar Panchayat Mairwa (Respondent No.-13), Smt. Sushila Devi, Member of Board Committee, Nagar Panchayat, Mairwa (Respondent No.-14) from contesting further election.

h) To direct the concerned Respondent authorities to investigate all the purchases made during the tenure of Ms. Archana Kumari, Executive Officer, Nagar Panchayat, Mairwa (Respondent No.-8), Shri. Ranjit Kumar, Executive Assistant Nagar Panchayat, Mairwa (Respondent No.-9), Shri Paras Nath Verma, Principal Assistant, Nagar Panchayat Mairwa (Respondent No.-10), Smt. Subhawati Devi, Chairman, Nagar Panchayat, Mairwa (Respondent No.-11), Smt. Rima Singh, Vice Chairman, Nagar Panchayat Mairwa (Respondent No.-12), Shri Bihari Lal, Ward Commissioner cum Member of Board Committee, Nagar Panchayat Mairwa



(Respondent No.-13), Smt. Sushila Devi, Member of Board Committee, Nagar Panchayat, Mairwa (Respondent No.-14).

i) To issue a writ in the nature of Mandamus or any other writ/writs, order/orders directing the concerned Respondent authorities to ensure strict monitoring and keeping a check point to ensure compliance with the terms and conditions so that in future, tenders will be qualified after fulfilling the eligibility criteria and after adherence to the terms and conditions of the tender.

j) To issue a direction to the Respondent authorities to frame strict guidelines to prevent such malpractices in future.

k) To pass any other order/orders as may be deemed just and proper in the interest of justice.”

2. Apparently, from the face of the record, it appears that it is not a public interest litigation rather it is a personal interest litigation. The relief what has been sought for in the present writ application is seeking a departmental enquiry against Respondent Nos. 8, 9, 10, 11, 12, 13, 14, 15. Whatever the allegations have been stated in the present writ application are vague in nature.



3. We find no merit in the present writ application and
the same is, accordingly, dismissed.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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