

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4846 of 2025

Mahendra Kumar Sharma, Son of Dhaneshwar Sharma, Resident of New Colony, Ward No. 9, Nagar Parishad Saharsa, District- Saharsa, Bihar- 852201.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Bihar Patna.
3. The Municipal Commissioner, Saharsa Municipal Corporation, Saharsa.
4. The Deputy Municipal Commissioner, Saharsa Municipal Corporation, Saharsa.
5. The Mayor, Saharsa Municipal Corporation, Saharsa.
6. The District Magistrate, Saharsa.
7. The Accountant General (Audit) Bihar, Patna.
8. Empowered Committee, Saharsa Municipal Corporation, Saharsa.
9. Santosh Kumar, Nazir, Saharsa Municipal Corporation, Saharsa.
10. Neeraj Kumar Sinha, Head Clerk, Saharsa Municipal Corporation, Saharsa.
11. Upendra Kumar, Junior Engineer, Saharsa Municipal Corporation, Saharsa.
12. Praveen Kumar, Saharsa Municipal Corporation, Saharsa.
13. Devendra Prasad, Swakshta Padadhikari, Saharsa Municipal Corporation, Saharsa.
14. Mridul Kumar, Town Planner, Saharsa Municipal Corporation, Saharsa.
15. Ranjan Kumar, Tax Inspector, Saharsa Municipal Corporation, Saharsa.
16. Priti Kumari, Assistant Engineer, Saharsa Municipal Corporation, Saharsa.
17. Anjali Kumari, Assistant Engineer, Saharsa Municipal Corporation, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashish, Advocate
For Respondents No.3.4	:	Mr. Sanjeev Kumar, Advocate
5 and 8	:	Mr. Pranashankar Mishra, Advocate
	:	Mr. Navneet Dubey, Advocate
For the State	:	Mr. P.K. Shahi, learned, Advocate General
For A.G.	:	Dr. Anand Kumar, Advocate
	:	Ms. Vijeta Kumari, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA



ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 15-09-2025

In the instant Writ petition, petitioner has prayed for the following relief(s):-

“i. For issuance of writ in the nature of Mandamus directing and commanding the responsible respondent authorities to enquire into the irregularities and corruption being done under Saharsa Municipal Corporation by the authorities of the Municipal Corporation, Saharsa by mis-utilising/misappropriating the public funds.

ii. For issuance of writ in the nature of Mandamus for directing and commanding the responsible respondent authorities not to further make payment of the projects sanctioned by the Municipal Commissioner in contravention of the order issued by the Additional Director, Urban Development and Housing Department, Bihar, Patna and the resolution passed by the Empowered Committee, Municipal Corporation, Saharsa on several dates.

iii. For issuance of writ in the nature of Mandamus for directing and commanding the responsible respondent authorities particularly Respondent No.3 to submit report/explanation along with necessary documents as sought by the Officer of Accountant General (Audit), Bihar Patna vide letter dated 24.08.2022.

iv. For any other relief or reliefs which the petitioner is entitled to in the facts and circumstances of the case.”

2. Reading of the relief sought in the present Writ petition, it is not crystal clear under which project or scheme



there are alleged to have been irregularities and corruption has taken place so as to entertain the Public Interest Litigation. In the absence of specific relief sought in the Public Interest Litigation, filing of such frivolous litigation cannot be entertained.

3. The petitioner has invoked the extra ordinary jurisdiction of this Court under Article 226 of constitution by filing the present PIL, *inter alia*, seeking various directions against respondents in respect of certain allegations and to hold investigations in the public offices. At the outset, we have carefully perused the pleadings in the writ petition. The averments are found to be vague, indefinite, and lacking in material particulars. It is well settled that PIL cannot be entertained on basis of bald and sweeping assertions without supporting particulars and evidences like documentary materials. In the absence of specific pleadings, this Court cannot issue mandamus.

4. Reading of the relief sought in the present petition one cannot draw inference what is the exact relief that petitioner is seeking. Accordingly, writ petition stands dismissed reserving liberty to the petitioner to file fresh petition with proper pleadings and materials and specific relief. In this regard



petitioner has to approach competent authority. In this regard petitioner may take note of accountability of Government and authorities issue and proceed in accordance with law, if any.

5. Accordingly, the present Writ petition stands dismissed with cost of Rs. 5,000/- (Rupees Five Thousand). Cost shall be paid to the Saharsa Municipal Corporation, Saharsa within a period of eight weeks from today.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

manish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.09.2025
Transmission Date	NA

