

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2863 of 2026

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Ram Kishun Sah S/o Late Janki Sah, Resident of village Pindauta Khurd, P.O.
and P.S. - Tisiauta, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj, Government of Bihar, Patna.
3. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The Principal Secretary Rural Development, Government of Bihar, Patna.
5. The Additional Chief Secretary, Rural Development, Department, Government of Bihar, Patna.
6. Divisional Commissioner, Tirhut Division, Muzzaffarpur.
7. Commissioner, Manrega, Government of Bihar, Patna.
8. The District Magistrate, Vaishali at Hajipur.
9. The Sub-Divisional Officer, Mahua, Vaishali at Hajipur.
10. Block Development Officer, Patepur, Vaishali at Hajipur.
11. District Panchayati Raj Officer, Vaishali at Hajipur.
12. Mukhiya Gram Panchayat Raj, Tisiauta, P.S. - Tisiauta, Vaishali at Hajipur.
13. Junior Engineer, Manrega, Block - Hajipur, Vaishali at Hajipur.
14. Assistant Engineer, Manrega, D.R.D.A- Hajipur, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harshit Griyaghey, Advocate
For the Respondent/s : Mr. AC to AG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 25-03-2026 This writ petition, in the nature of Public Interest

Litigation, has been filed seeking the following relief(s):-

*“I. For issuing a writ in the nature of
certiorari to quash the inquiry report dated*



13.04.2023 prepared by the respondent authorities with regard to the work done under the Manrega Scheme from the year 2016 to 2021 as the same are mala-fide, irregular and contradictory in itself showing huge difference in the embezzlement of public-fund which is far away from the true facts. The said reports lacks transparency and are manipulated to save the skin of wrong doers.

II. For issuing a writ in the nature of certiorari to quash the inquiry report dated 02.09.2022 prepared by the respondent authorities with regard to the work done under the State-funded projects in Tisiauta Gram Panchayat from the year 2016 to 2021 as the same is manipulated and has whitewashed serious fiscal fraud involving public exchequer.

III. For issuing a writ in the nature of mandamus directing the Vigilance Department or Lokayukta to conduct an independent inquiry into the alleged embezzlement of amount and quality of work done in between the period from 2016 to 2021 under the MGNREGA scheme and State Government in Tisiauta Gram Panchayat as the previous directions were circumvented through superficial compliance and lacked transparency.

IV. For issuing a writ in the nature of mandamus directing the District Magistrate or a senior officer not below the rank of Additional



Collector to consider the petitioner's representation afresh and pass a reasoned and speaking order after granting personal hearing as the BDO earlier disposed of the representation in haste manner to shield the erring officials.

V. For issuing a writ in the nature of mandamus directing the State Government to initiate departmental proceedings under the relevant service rules as well as criminal proceedings under Prevention of Corruption Act and BNS on the erring officials as public money/ government fund has been misappropriated and manipulated reports were used to cover up the wrongdoing.

VI. For issuing a writ in the nature of mandamus directing the State Government to frame guidelines ensuring transparency, accountability, and citizen participation in the development projects taken up under the state government as there are systemic failure in ensuring fair and effective work quality.

VII. For issuance any other writ/writs, direction/directions or order/orders for which your lordships deem that the petitioner is entitled for.”

2. At the outset, learned counsel for the State raises a preliminary objection, submitting that the petitioner had earlier approached this Court in an identical prayer in C.W.J.C. No.



8108 of 2021, which was disposed of on 19.07.2021, with the following directions:-

“As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the Block Development Officer, Patepur, District- Vaishali at Hajipur within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The Block Development Officer, Patepur, District- Vaishali at Hajipur shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;



(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.”

Learned counsel for the State further submits that, in compliance with the aforesaid order, the petitioner filed a representation, which has already been duly considered and disposed of by the competent authority. Hence, it is contended that the present second Public Interest Litigation on the same cause of action is not maintainable and ought not to be entertained.

3. Having considered the submissions and upon perusal of the order dated 19.07.2021 passed in C.W.J.C. No. 8108 of 2021 (Annexure-P/2), as well as the order passed by the Block Development Officer, Patepur (Vaishali) on the



petitioner's representation, we find that an appropriate inquiry was conducted by the competent authority pursuant to the said representation, and necessary legal action has already been taken against the erring person(s).

4. In the event the petitioner is dissatisfied with the action taken, it remains open to him to avail appropriate remedies in accordance with law. However, a second Public Interest Litigation seeking the self-same relief cannot be entertained.

5. Accordingly, the present writ petition stands disposed of.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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