

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15951 of 2025

Sumit Kumar Son of Ranjit Singh, Resident of Road No. 7, Near Shanti Market, Kumhrar Teacher Colony, P.S.-Agamkuan, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna.
2. The Additional Chief Secretary, Urban Development and Housing Department, Patna.
3. The Additional Chief Secretary, Department of Finance, Bihar, Patna.
4. The District Magistrate, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv

For the Respondent/s : Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

7 09-02-2026 This writ petition has been filed by the petitioner Sumit Kumar in the nature of Public Interest Litigation seeking for the following reliefs:

“(i) For issuance of an appropriate writ/s, order/s, Direction/s to the respondents to hold inquiry with regard to the financial irregularity committed by outgoing Commissioner, Sitamarhi Municipal Corporation whereby and under in violation of Government Instructions issued on 07.06.2024 vide letter No. 1815 whereby and under a complete ban was imposed on the Municipal Commissioners in the State not to issue any NIT, if NIT had



already been issued then no agreement would be executed without prior permission of the State but in violation of this direction the then Municipal Commissioner executed agreements with private agencies on 16.07.2024 and paid the amount to them without executing the work as per agreement which was illegal.

(ii) For issuance of an appropriate writ/s, order/s, Direction/s to the respondents to recover the amount so paid during the period 16.07.2024 to 31.08.2025 to the Private Agencies who were selected by the outgoing Municipal Commissioner for garbage collection and dumping the same under the Integrated Solid Waste Management Scheme, since the Public Exchequer has been swindled by the Municipal Commissioner without seeking prior permission of State Authorities as per letter dated 07.06.2024 and subsequent letters.

(iii) To pass such other order/orders as your Lordships may deem fit and proper in the facts and circumstances of this case.”

2. Learned counsel appearing for the respondent no. 2 has filed a supplementary counter affidavit wherein in paragraph nos. 8 and 9, it is stated as follows:



“8. That in continuity of the above, it is humbly submitted that on 05.01.2026 decision has been taken by the answering state respondent to take necessary action for initiating departmental proceeding against the then Municipal Commissioner, Sitamarhi Municipal Corporation for violation of Departmental Directive and committing negligence.

9. That in furtherance of the above decision, the department has issued show-cause notice against the then Municipal Commissioner, Sitamarhi Municipal Corporation vide Departmental Letter No. 74 dated 21.01.2026.”

3. Since the departmental proceeding has already been initiated against the Municipal Commissioner, Sitamarhi Municipal Corporation and show cause notice has been issued against him, we do not want to pass any further order in this Public Interest Litigation.

4. Accordingly, the present writ petition is disposed of.

(Sangam Kumar Sahoo, CJ)

(Alok Kumar Sinha, J)

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