

(2003) 12 PAT CK 0083
In the Patna High Court
Case No : C.W.J.C No. 14302 of 2003

Ram Shankar Sharma @ Nunu Singh	APPELLANT
Vs	
The State of Bihar and Others	RESPONDENT

Date of Decision : 19-12-2003

Acts Referred:

Citation : (2004) 3 PLJR 138

Hon'ble Judges : Ravi S. Dhavan, C.J;Shashank Kr. Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. Just before this case the Court has passed an order on a Public Interest Litigation. If it is based on charges of embezzlement/misappropriation etc., then the person seeking a Public Interest Litigation must take the responsibility of having filed a report or a complaint before the police or the Magistrate, as, the case may be. The present petition has been presented on behalf of an Hon''ble Member of the Parliament through a representative, not by the Hon''ble Member of Parliament. The absence of the Hon''ble Member of the Parliament petitioning the Court is explained that the latter is in jail. Normally the Court would not comment as to why in such a situation would any one takes so much interest in the outside world when he is in jail.
2. Nothing stops any one from invoking the jurisdiction of the law to make a complaint to designated authorities who are to ensure that people keep to the law.
3. Rushing in a Public Interest Litigation of such a nature, in the circumstances of the present case, the Court is of the opinion, is misconceived and ill-advised.
4. Dismissed.