
(2000) 08 PAT CK 0068
In the Patna High Court
Case No : C.W.J.C. No. 9566 of 1998

Santoshi Lal Bajaj

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 08-08-2000

Acts Referred:

Citation : (2001) 1 PLJR 56

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

Bench : Division Bench

Advocate : Anjani Kumar Sinha, for the Appellant; G.P. Roy, for State, for the Respondent

Judgement

1. This petition was filed as a Public Interest Litigation by the Petitioner Santoshi Lal Bajaj. He described himself as an Ex-Ward Commissioner of the Municipal Corporation of Gaya and also President of one of the Political Parties and that he has been a freedom fighter.

2. In the present petition he complains that there is loot and malpractices in the Gaya Municipal Corporation particularly at the hands of certain Respondents who have been made party Respondents in the writ petition. By taking the name of each of the Respondents, the Petitioner claims that corruption at the Municipal Corporation is primarily at the hands of these Respondents and that they are part of a mafia cartel. The Petitioner desires certain aspects at the Municipal Corporation to be remedied. These relate to sanitation, siphoning of salaries, grants, money on contract assignments and misappropriation of funds on forged bills.

3. The Court is not in a position to make any comments on what the Petitioner claims.

4. Suffice it to say that what the Petitioner asserts in the petition and supplemented by two supplementary affidavits is plainly a matter to have an opportunity to have a say in local government. The High Court cannot pass a

judgment on the Respondents named in the petition and regard being had to the state of the present case, the High Court cannot run the Municipal Corporation at Gaya either.

5. If the local government at Gaya Municipal Corporation is not available, then, the Petitioner will need to first address himself to his elected representative as they ought to have an interest on what the Petitioner contends in the writ petition. The Court has indicated to learned Counsel for the Petitioner that this writ petition in the High Court's writ Jurisdiction cannot be had as a petition of right.

6. Thus, the Court refrains from any comments on the petition. It is record that when notices were issued to some Respondents the reports are even to the extent that they were met at the addresses and some of them have been suspended from service. But the format of the Petitioner is too large for specific reliefs to be considered, which if considered would tantamount to running the administration of the Municipal Corporation.

7. Consigned.