

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 293 OF 2013 (FOR PREL.HEARING)

PRAMOD KUMAR SINGH Petitioner(s)

VERSUS

STATE OF BIHAR & ORS. Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

Date: 10/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Prem Prakash, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

In academics, 'walk in interview' is well-recognised concept, but the Courts have so far not recognised or accepted the walk in petitions filed by unscrupulous litigants. Such petitions deserve to be dismissed at the threshold.

The petitioner, who claims to be a teacher in Veer Kunwar Singh University, Arrah, Bihar and President of Bihar University Teachers and Staffs Welfare Association (Regd.) has filed this petition under Article 32 of the Constitution for ordering a CBI enquiry into the alleged embezzlement of crores of rupees by the University functionaries.

At the commencement of hearing, we asked the learned counsel whether the association of which he claims to be the President had constitution and whether the same postulates filing of litigation in matters like the present one. We also asked the learned counsel to show whether the competent body of the association has passed any resolution authorizing the petitioner to file a petition under Article 32 of the Constitution for issue a mandamus for holding CBI inquiry into the allegations of alleged embezzlement of the funds of the University. Learned counsel could not give answer to either of these questions. Therefore, we are constrained to observe that the petitioner has sought intervention of this Court on his own and has camouflaged his status as President of the Association to lend credibility to his assertions.

We are further of the view that even though the petitioner has styled the writ petition as a litigation filed in public interest, the same appears to be a personal or publicity interest litigation. This inference has been drawn by us because the petitioner has largely relied upon the reports published in the newspaper, clippings of which have been annexed as Annexures P-1 to P-3 and P-5. This Court has often noticed that such news items are planted by interested quarters to manufacture evidence for creating a doubt in the mind of the public about the honesty and integrity of the holders of public posts. Therefore, there is no warrant for relying upon such reports for entertaining the petitioner's prayer.

We may also observe that if the petitioner or the association has any legitimate grievance in the matter of alleged irregularities committed in the purchase of books by the University authorities, the first thing which they were expected to do was to make a representation to the Chancellor to bring to his notice the alleged irregularities. If the

Chancellor had not paid any heed to their grievance, then either the petitioner or the association could have filed a petition under Article 226 of the Constitution. However, instead of adopting the only legitimate course available to him, the petitioner has filed petition under Article 32 of the Constitution with the hope that if, by chance, the Court entertains the same and orders notice, then he will get sufficient publicity and persuade others to recognize him as an important leader of the teachers.

With the above observations, the writ petition is dismissed. We would have saddled the petitioner with exemplary costs but, keeping in view the fact that he is a teacher, we refrain from doing so. At the same time, we administer him a warning not to indulge in such frivolous litigation in future.

(Satish K.Yadav)
Court Master

(Usha Sharma)
Court Master