

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13220 of 2014**

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Md. Manirudin, Son of Late Zakir Uddin, Resident of Village- Satua, P.O and P.S. Meskaur, District- Nawadah.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt.of Bihar, Patna.
3. The District Magistrate, Nawadah.
4. The District Panchayati Raj Officer, Nawadah.
5. The Circle Officer Meskaur, Nawada.
6. The Block Development Officer, Meskaur, Nawada
7. The Mukhiya, Tetariya Gram Panchayat, Block- Meskaur, District- Nawadah.

.... .... Respondents

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**Appearance :**

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|---------------------|---|------------------------------------------------------------------------------|
| For the Petitioner  | : | Mr. Prashant Sinha, Adv.<br>Mr. Awadhesh Kumar, Adv.<br>Mr. Ajay Kumar, Adv. |
| For the Respondents | : | Mr. J.S.Barnawal- GA5<br>Mr. Sanjay Kumar, AC to GA-5                        |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      09-01-2015                      The petitioner is a resident of Satua village which is part of Tetariya Gram Panchayat in the District of Nawada, Bihar. He filed this writ petition in public interest complaining that the respondents are constructing the building for Gram Paychayat office in Survey Plot No.865 which, according to him, is a part of a water channel. He submits that in case the building is constructed on proposal base, it would obstruct the free

flow of water. He alleges that other lands in various survey plots are available and the place is chosen only with ulterior motive.

On behalf of the respondents a detailed counter affidavit is filed. They dispute the classification of the land as a part of any water channel. It is stated that Survey Plot No.865 is classified as “uncultivated public land”. They submit that the place was chosen for the benefit of local people and the writ petition is filed with an oblique motive.

Heard Shri Prashant Sinha and Shri Awadhesh Kuamar, learned counsel for the petitioner and Shri Sanjay Kumar, learned counsel for the respondents.

In case the Gram Panchayat building is constructed across a water channel, as alleged by the petitioner, this Court would have certainly interfered. The respondents have categorically stated that the land on which the building is proposed to be constructed is not part of any water channel and, on the other hand, it is classified as common land. Even from the sketch submitted by the petitioner, it is evident that the land is not part of any water channel and at the most it is a

place where water was accumulating on account of its being vacant. The record also discloses that the land in Survey Plot No.865 was occupied by some private parties and the petitioner did not raise any objection to the same.

We do not find any reason to entertain this writ petition. We, therefore, dismissed the writ petition.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

**(L. Narasimha Reddy,CJ)**

**(Rajendra Kumar Mishra, J)**

K.C.jha/-

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