

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5393 of 2014

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Upendra Paswan, Sarpanch of Koshiawan Gram Panchayat son of Late Hari Paswan, resident of village-Koshiawan, P.S.-Ekanger Sarai, District-Nalanda

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Nalanda at Bihar Sharif
2. The Sub-Divisional Officer, Hilsa, Nalanda
3. The Anchaladhikari, Ekanger Sarai, District - Nalanda
4. Bhubneshwar Prasad, Block Development Officer, Ekanger Sarai, Nalanda
5. The Block Education Extension Officer, Ekanger Sarai, Nalanda
6. District Panchayat Raj Officer, Nalanda at Bihar Sharif
7. The Superintendent of Police, Nalanda at Bihar Sharif
8. Sri Ranjit Paswan, Mukhia of Koshiawan Gram Panchayat son of Jarurat Paswan, resident of Village - Koshiawan, P.S. - Ekanger Sarai, District- Nalanda
9. Subhas Kumar Chauhan, Rojgar Sevak of Koshiawan Gram Panchayat, P.S. - Ekanger Sarai, District - Nalanda
10. Upendra Kumar, Gram Sevak of Koshiawan Gram Panchayat, P.S. Ekanger Sarai, District - Nalanda

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ram Suhawan Singh, Adv.
Mr. Chandra Moleshwar, Advocate
For the Respondent/s : Mr. Avnish Nandan Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 04-05-2015 Counsel for the parties are present.

The writ petition has been filed by the Sarpanch of Mauja Koshiawan, P.S. Ekanger Sarai, District-Nalanda at Bihar Sharif praying for a direction to the Collector-Nalanda to enquire into the construction work of the Panchayat Bhawan.

According to the petitioner the Contractor is using cheap materials for construction of the Panchayat Bhawan and when an objection was raised before the Mukhiya of the Gram Panchayat, Koshiawan, he has defiantly issued threats to the petitioner and his

family members. The petitioner relies upon a representation filed before the Superintendent of Police, Nalanda in this regard. It is the complaint of the petitioner that he has also represented before the Director General of Police as well as the Collector, Nalanda in this regard but to no avail.

Section 152 to 156 of the Bihar Panchayat Raj Act, 2006 vests supervisory jurisdiction in the State Government to examine the affairs of the Panchayat and since it is the specific complaint of this petitioner that the Panchayat Bhawan, Mauja-Koshiawan is not satisfying the quality required of, it would be within the jurisdiction of the District Magistrate to examine the grievance raised by the petitioner and if found correct then to take suitable action.

In the circumstances discussed, the writ petition is disposed of with liberty to the petitioner to file a comprehensive representation before the District Magistrate, Nalanda and who shall consider and dispose of the same in accordance with law expeditiously and preferably within three months of filing of such representation.

This writ application is disposed of accordingly.

(Jyoti Saran, J)

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