

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2738 of 2015

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1. Sachidanand Yadav Son of Late Shiv Prasad Yadav, resident of village-
Kathara, P.S.- Katoria, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar through the Director cum Commissioner, Panchayat
Raj Government of Bihar, Patna
2. The District Magistrate, Banka
3. The District Panchayat Officer, Banka
4. The Deputy Collector Land Reforms, Banka
5. Block Development Officer, Katoria, District- Banka
6. The Circle Officer, Katoria, District- Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar, Adv.

For the Respondent/s : Mr. Manoj Kr. Ambastha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-09-2015 Heard Mr. Bharat Lal learned counsel for the petitioner and
learned counsel for the State.

The petitioner has chosen to question the notice dated
27.7.2014 whereby the headquarters of Gram Panchayat Basmatta
Block Katoria in the district of Banka has been removed from
village Phattapathar and fixed at village Basmatta. It is the
grievance of the petitioner that although 80% of the population of
the Gram Panchayat in question are residents on the Western side
of river Chandan but the headquarters of Panchayat has been fixed
on the Eastern side of the river where only 20% of the population
resides. The petitioner has questioned the shifting of the

headquarter from village Phattapathar to village Basmatta.

A counter affidavit has been filed on behalf of the State and which is self ex-explanatory. The notice present at Annexure-2 shows that in term of the Circular of the Rural Development Department of the Government of Bihar the headquarters of Panchayat is to be determined on the basis of the population of the concerned village with a preference to a village where majority of the population belongs to the weaker sections. With reference to the notice impugned it is argued by learned State counsel that in so far as village Basmatta is concerned, not only the population is higher than that of village Fattapathar but even the population of the members of the weaker sections exceeds village Fattapathar and thus it is in view of the circular of the State Government that a decision to such effect has been taken.

Considering the discussions so made in the counter affidavit as well as the reasons assigned for shifting of the head quarters no case for indulgence is made out. The writ petition is disposed of.

(Jyoti Saran, J)

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