

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1174 of 2015

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1. Sachidanand Singh Son of Sri Babu Ram Singh Resident of Vill-Arang,
P.O- Basdihan, Block+P.S- Dinara, Distt.- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Govt.of Bihar,Patna.
2. The District Magistrate, Rohtas
3. The Deputy Development Commissioner, Rohtas at Sasaram
4. The Block Development Officer, Dinara Distt.-Rohtas
5. The Circle Officer, Dinara Distt.-Rohtas
6. The Block Programme Officer of Manarega of Dinara Block, Distt.-Rohtas at Sasaram
7. The Mukhiya, Gram Panchayat Raj, Arang, Block+ P.S- Dinara Distt.-Rohtas
8. The Panchayat Secretary, Gram Panchayat Raj, Arang, Block+ P.S- Dinara Distt.-Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Adv.

For the Respondent/s : Mr. R.R. K Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 23-04-2015 Heard Mr. Sidharth Harsh learned counsel for the petitioner and learned counsel for the State.

The grievance of the petitioner is that a reservoir existing on plot No.1384, Khata No.419 in village Arang within the Gram Panchayat Raj Arang in the district of Rohtas needs a renovation for its proper utilization by the farmers of the area.

The complaint of the petitioner is that the Mukhia of the Gram Panchayat, Arang is trying to alter the nature of the pond by proposed construction of Panchayat Bhawan over the same land and

which would adversely affect the local villagers who are using the pond for irrigation purpose. He submits that apart from the fact that the Mukhiya cannot alter the nature of the land which is a water reservoir and being utilized for irrigation purposes, any attempt by the Mukhiya to make constructions over the said land would seriously and adversely effect the local framers. It is submitted that representations have been filed before the District Magistrate, Rohtas but to no avail.

Having heard learned counsel for the parties and considering the nature of grievance raised in the backdrop of the provisions underlying Bihar Panchayat Raj Act, 2006 conferring supervisory control of the District Magistrate over the Panchayat affairs, the writ petition is disposed of with liberty to the petitioner to file a comprehensive representation along with copy of this order before the District Magistrate, Rohtas and any such representation filed by the petitioner would be considered by the District Magistrate, Rohtas and disposed of in accordance with law after giving an opportunity of hearing to the petitioner expeditiously and preferably within three months from the date of receipt of such representation.

(Jyoti Saran, J)

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