

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19585 of 2013

With

I.A. No.3276 of 2014

With

I.A. No.5720 of 2014

With

I.A. No.8581 of 2014

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Rajpal Mishra, son of Late Sadanand Mishra, resident of Village + P.O.-
Hatni, P.S.- Ghoghardiha, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The District Magistrate, Madhubani.
5. The District Panchayati Raj Officer, Madhubani.
6. The Sub-Divisional Officer, Phulparas, District- Madhubani.
7. The Circle Officer, Ghoghardiha, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra Mr. Sanjay Kumar Tiwary
For the Respondent-State	:	Mr. M.K. Singh, AC to SC-6
For the Intervener	:	Mr. Gagandeo Yadav

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 21-01-2015 Heard learned counsel for the parties.

This writ petition has been filed inter alia, for a direction to the respondents to construct the Panchayat Sarkar Bhawan for Gram Panchayat Raj, Naua-Bakhar in the district of Madhubani over khata no.358, khesra no.1176 which, according to the petitioner, is a *Gairmazarua Aam* land.

The grievance of the petitioner is that the Panchayat Sarkar Bhawan is being constructed on different plot although in

the Aam Sabha a decision was taken for construction of the Panchayat Bhawan over plot no.1176.

An intervention application bearing I.A. No.3276 of 2014 has been filed by one Gulab Kamat who claims title over the said plot and raises objection on the construction of Panchayat Sarkar Bhawan on the said plot.

Having regard to the circumstance that a decision as to the situs of a Panchayat Bhawan or the likes lies entirely within the jurisdiction of the Panchayat concerned and the State Government who have exclusive jurisdiction to take a decision in this regard and taking note of the dispute as regarding the title/ownership over the plot in question, this Court would refrain from issuing any direction and the petitioner, if so advised, may approach the appropriate authority for the redressal of his grievances.

The writ petition and the interlocutory applications are accordingly disposed of.

(Jyoti Saran, J)

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