

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4040 of 2016

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Somnath Chaudhary son of Sri Srikeshwar Chaudhary Resident of Village-
Chanpura East tola P.s Benipatti District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Rural Development Government of Bihar, Patna.
3. The Divisional Commissioner Darbhanga Division Darbhanga.
4. The Collector, Madhubani.
5. The District Development Commissioner, Madhubani.
6. The District Panchayati Raj Officer, Madhubani.
7. The Sub-Divisional Officer, Benipatti District Madhubani.
8. The Block Development Officer, Benipatti Block Cum-Circle Officer, District Madhubani.
9. The Mukhiya Gram Panchayat Raj Basaitha Under Block Benipatti District Madhubani.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Abhay Kumar Thakur, Advocate

For the Respondent/s : Mr. Manindra Kishore Singh, SC-6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 30-03-2016 Heard Mr. Abhay Kumar Thakur, learned counsel for
the petitioner.

There is no representation on behalf of the State.

Mr. Thakur, learned counsel while espousing the grievance of the petitioner submits that the Panchayat authorities connected with the affairs under the Indira Awas Yojana have most illegally made allotment in favour of the beneficiaries in respect of the ancestral lands of the petitioner. Mr. Thakur



has straightway referred to a letter of the District Panchayat Raj Officer addressed to the Block Development Officer bearing Memo No. 520 dated 21.3.2014 to submit that in consideration of the complaint made by the petitioner against such illegal allotment under the Indira Awas Yojana that directions were issued to the Block Development Officer for enquiry but he has merely relegated the grievance as a civil dispute vide his response dated 13.10.2014 placed at Annexure-5. He thus submits that the illegality complained of by the petitioner has not been addressed upon by these authorities.

Having heard Mr. Thakur, learned counsel for the petitioner and considering the directives issued by the District Panchayat Raj Officer to the Block Development Officer on the grievance raised by the petitioner as well as the response given by the Block Development Officer present at Annexure-3 and 5 to the writ petition, I am satisfied that the petitioner has been meted with unjust treatment at the hands of the respondent authorities.

In the circumstances, I deem it fit and proper to direct the District Magistrate, Madhubani to get the matter enquired either by himself or through the District Panchayat Raj Officer and in case the grievance of the petitioner regarding allotment of his ancestral land to the beneficiaries under the Indira Awas Yojana is

found to be correct then the District Magistrate, Madhubani would take appropriate corrective steps for redressal of the grievance of the petitioner. Considering the nature of the grievance raised, the District Magistrate should dispose of the matter after opportunity of hearing to the petitioners expeditiously and preferably within three months from the date of receipt / production of a copy of this order.

(Jyoti Saran, J)

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