

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15055 of 2013**

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1. Hare Ram Mishra Son Of Late Maksudan Mishra Resident Of Village Thalwara, P.S. Ashok Paper Mill, District- Darbhanga

2. Balram Mishra Son Of Late Gangadhar Mishra Resident Of Village Thalwara, P.S. Ashok Paper Mill, District- Darbhanga

.... .... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Null Panchyati Raj Department, Vikash Bhawan, Patna

2. The Director, Panchyati Raj, Bihar, Patna

3. The Chief Engineer, Local Area Engineering Organization, Bihar

4. The Collector, Darbhanga

5. The Charge Officer, Office Of The Survey Settlement, Darbhanga

6. The S.D.O., Sadar, Darbhanga

7. The Block Development Officer, Hanumannagar, P.S. Ashok Paper Mill, District- Darbhanga

8. The Gram Panchyat Raj Thalwara Through The Panchyat Secretary, Hanumannagar, P.S. Ashok Paper Mill, District Darbhanga

9. The Mukhiya, Gram Panchyat Raj Thalwara Hanumannagar, P.S. Ashok Paper Mill, District Darbhanga

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Respondent/s : Mr. A.Ujjwal

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

3      05-04-2016

Heard both sides.

The petitioner is objecting construction of Panchayat Sarkar Bhawan. It is stated that the same is being constructed on the raiyati land of the petitioner which was wrongly indicated by the Mukhiya of the Panchayat as the government land although the Revenue Authority has verified it to be a raiyati land.

In my view, the grievance of such nature should first be addressed to the competent authority of the respondent State. Mr. Jha states that the Collector of the district is the custodian of

the land including the government land and, as such, he shall be making such representation before the respondent Collector for consideration in accordance with law. The State has not objected the same .

The application stands disposed of permitting the petitioner to make a representation with respect to the grievance as raised in this application before the Collector to take remedial steps in this regard. If any such application is filed, I am sure, the respondent Collector will examine the case of the petitioner and take appropriate decision and/or pass appropriate order in accordance with law as quickly as possible preferably within three months. Be it noted that Mr. Jha, Counsel for the petitioner has taken the stand that the construction of the Panchayat Sarkar Bhawan has not yet begun or commenced. If that be the case then he shall make a request for directing no further step for construction before the respondent Collector in the said application also which shall be considered by the said respondent.

Pankaj/-

**(Kishore Kumar Mandal, J)**

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