

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4773 of 2014

Arjun Sah Son Of Late Govind Sah Resident Of Village - Nariyar (Tola Parsaha)
Police Station Saharsa, District - Saharsa

.... Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Panchayat Raj, Bihar, Patna
2. The District Magistrate cum District Panchayat Raj Officer, Saharsa
3. The Program Officer Manarega Saharsa
4. The Sub Divisional Magistrate, Saharsa
5. The Deputy Collector Land Reforms Saharsa
6. The Block Development Officer, Kahra, Saharsa
7. The Circle Officer Kahra Saharsa
8. Haldhar Thakur
9. Jaldhar Thakur
10. Raghuni Thakur
11. Dinesh Thakur 8 To 9 Are Sons Of Late Babuan Thakur Resident of Village - Nariyar (Tola Parsaha) Police Station Saharsa, District - Saharsa
12. Satyanarayan Thakur Son of Haldhar Thakur Resident of Village - Nariyar (Tola Parsaha) Police Station Saharsa, District - Saharsa

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. SATISH KUMAR SINGH
For the Respondent/s : Mr. TEJ BAHADUR SINGH

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 03-10-2016

Heard both sides.

A dispute of nature as projected in the writ application ought to have been first made before the concerned authority for consideration.

The petitioner prays for quashing of the Scheme/Plan taken up by the concerned Gram Panchayat under the MANREGA vide Scheme/Plan No.05/2009-10. Said Scheme/Plan, as per annexure-4, relates to earth filling and bricks soling of the road from the house of Haldhar Thakur upto Vinoba Road. It is stated that Satyanarayan Thakur illegally represented that his ancestor had donated part of the land or consented for construction of the road. In fact, a title

suit is pending with respect to the suit land between the petitioner and the private respondent nos. 8 to 12. The petitioner, in these background, has challenged the communication dated 13.08.2012 placed at Annexure-5 which is only a recommendation made by the Circle Officer to the Programme Officer(MANREGA), Kahra Block, Saharsa.

Without opining any merit on the claim of the petitioner, the writ application is disposed of permitting the petitioner to ventilate his grievance before the Programme Officer(MANREGA), Kahra Block, Saharsa, or any authority superior to him, apart from seeking any relief in the pending suit between the petitioner and the private respondents. Needless to observe, if any such representation is filed, the same shall receive due consideration and disposal at the earliest at the hands of the said respondent in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	5.10.1016
Transmission Date	