

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2058 of 2017

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Lalita Devi wife of Sri Jawahar Baitha, resident of village- Mahipur
Bhataura, P.S.- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Panchayati Raj Department, Bihar, Patna.
3. The District Magistrate, West Champaran at Bettiah.
4. The Deputy Development Commissioner, West Champaran at Bettiah.
5. The Sub-Divisional Magistrate, Bagaha, West Champaran.
6. The Block Development Officer, Bagaha-1, West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Respondent/s : Mr. Pushkar Narain Shahi, AAG-6

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 06-12-2017 This writ petition has been filed by the petitioner in individual capacity seeking writ of mandamus to be issued for direction to the respondents particularly the Sub Divisional Officer, Bagaha and Block Development Officer-cum-Executive Officer, Bagaha to release the amount in favour of Panchayat Samiti, Bagaha against the construction of P.C.C. Road in the Block premises with penal interest.

The Bagaha Panchayat Samiti is a duly constituted statutory body. It has right to sue with a liability to be sued. In



absence of the Panchayat Samiti having been made a party to the writ petition, the relief prayed for in the present writ petition cannot be allowed.

Accordingly, it is dismissed for non-joinder of the necessary party.

(Ashwani Kumar Singh, J)

Md.S./-

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