

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2045 of 2017

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1. Ravish Kumar, Son of Sri Gopal Sharan Singh, Resident of Village- Akhtiyarpur, P.O. and P.S. Paliganj, District-Patna, present Mukhiya of Gram Panchayat Raj, Rampur Nagma, Block- Paliganj, District- Patna.
 2. Dipu Kumar, Son of Late Girja Nandan Sharma, Resident of Village- Bali Pakar, P.O. Aghua, P.S. Paliganj, District- Patna, presently Mukhiya of Gram Panchayat Raj, Dharhara, Block Paliganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The District Magistrate, Patna, District- Patna.
4. The Block Development Officer, Paliganj, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. B. K. Mangalam, Advocate Mr. Ravi Ranjan, Advocate
For the State	:	Mr. Rajiv Roy, G.P. 1

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-02-2017

Heard learned counsel for the parties.

The defect pointed out by the Registry is ignored.

The petitioners, who are Mukhiyas of two Gram Panchayats, are aggrieved by their area having been proposed to be upgraded into Paliganj Nagar Panchayat, which according to them is not justified from the facts and circumstances of the matter.

Learned counsel for the State raised a preliminary objection and submitted that the notice impugned itself indicates that objections/suggestions have been called for from the persons, who are likely to be affected by it and, thus, the petitioners have an



equally efficacious and alternative remedy and coming to the Court straight away is not proper.

Having considered the aforesaid aspect, this Court is of the opinion that the petitioners should first avail of the opportunity granted by the State to file their objections/suggestions through the concerned District Magistrate/ Divisional Commissioner. If such recourse is taken by the petitioners within the time frame fixed, as per the notification contained in Memo No. 568 dated 27.01.2017, of the Urban Development and Housing Department, the same shall be considered in accordance with law by the authorities before moving to the next stage.

With the aforesaid observations, the writ petition stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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