

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18890 of 2008

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Indra Deo Singh, son of Late Rama Nand Singh, resident of village-Cheshi, P.S.-
Naubatpur, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The District Panchayat Raj Officer, Patna.
4. The Sub Divisional Officer, Danapur, Patna.
5. The Block Development Officer, Naubatpur, Patna.
6. The Mukhiya, Gram Panchayat Raj Cheshi, Block-Naubatpur, District-Patna.
7. The Panchayat Secretary, Gram Panchayat Raj Cheshi, Block Naubatpur,
District-Patna.
8. Shailendra Kumar, Son of Late Ramgati Singh, resident of village-Cheshi, P.S.-
Naubatpur, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Harish Kumar, GP-8

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-09-2018

No one appears for the petitioner. Learned counsel
for the State is present.

2. The present writ petition has been filed by the
petitioner for a direction to restrain the respondent authorities from
making construction of the *Krishi Pramارش Kendra Bhawan* out of



the panchayat development fund on the plot appertaining to Khata No.78, Khesra No.1706, admeasuring 5 decimals situated in the revenue village Cheshi. The further prayer of the petitioner is to direct the respondents to construct *Krishi Pramارش Kendra Bhawan* out of the panchayat development fund on the land bearing Khata No.105, Khesra No.2609, admeasuring 6.25 decimals situated in the same village.

3. Learned counsel for the State has drawn my attention towards paragraph no.10 of the counter affidavit, which reads as under:-

“That after giving the said land through registry, work was started on the said plot having khata no.78, kheshra no.1706 and the said *Krishi Pramارش Kendra Bhawan* was completely built except the floor.”

4. The said counter affidavit was filed in the year 2009 itself. No rejoinder to the counter affidavit has been filed till date. In that view of the matter, whatever has been stated in the counter affidavit has to be accepted to be true. If the *Krishi Pramارش Kendra Bhawan* has already been built at one place, there is no reason for this Court to issue any direction to the respondents to construct another *Krishi Pramارش Kendra Bhawan* in the same village at a different place.



5. In that view of the matter, the writ petition stands dismissed.

Sanjeet/- **(Ashwani Kumar Singh, J.)**

AFR/NAFR	NAFR
CAV DATE	NA
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