

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2109 of 2018

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1. Sweta Singh Wife of Vidya Bhushan Singh Resident of Village Brahampur, P.S.
- Brahampur, District - Buxar, Presently Mukhiya Gram Panchayat Brahampur, P.S.
Brahampur, Dist - Buxar, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar.
4. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
5. The Under Secretary, Revenue and Land Reforms Department, Government of Bihar.
6. The District Magistrate, Buxar.
7. The Additional District Magistrate, Buxar.
8. The Deputy Collector, Land and Revenue, Dumraon, Buxar.
9. The District Panchayati Raj Officer, Buxar.
10. The Block Development Officer, Brahampur, Buxar.
11. The Circle Officer, Brahampur, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Respondent/s : Mr. SAJID SALIM KHAN- SC25

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date: 19-04-2018

Heard both sides.

In spite of several adjournments, the learned counsel for the
State failed to file counter affidavit.

The simple case of the petitioner is that the cattle fares
situated in Brahampur Faguni and Shivratri Cattle fares have already
been handed over to the Gram Panchayat but the Gram Panchayat is



not allowed to auction the cattle fares. The matter has already been settled at rest vide order dated 07.04.2014 passed in C.W.J.C. No.3770 of 2013 and vide order dated 04.04.2012 passed in C.W.J.C. No.3351 of 2012. Vide order dated 04.04.2012 this court directed the revenue authority and the District Magistrate to ensure that the provisions of the Gram Panchayat Act in this connection should be followed and to take steps to transfer the market place and fare to the Panchayat. In pursuance thereof, the cattle fares were transferred to the Gram Panchayat but the authority did not stop the settlement of the Gram Panchayat.

In this view of the fact, the Revenue authority and the District Magistrate is directed not to settle the cattle fares in future and allow the Gram Panchayat to settle the fare in accordance with law.

With this observation, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.05.2018
Transmission Date	NA

