

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21597 of 2018**

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Jagdish Singh, s/o of Late Gobind Singh, R/o Dhanchhuhan, Block  
Maharjganj, P.O. and P.S. Maharajganj, District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Department of Urban Development and Housing, Govt. of Bihar, Patna.
3. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
4. The Secretary, Department of Urban Development and Housing, Govt. of Bihar Patna.
5. The Secretary, Law Department, Government, of Bihar, Patna.
6. The Collector, District- Siwan.
7. The district Panchayat Raj Officer, Siwan.
8. The Deputy Development Commissioner, Siwan.
9. The Executive Officer, Nagar Panchayat, Maharajganj, district- Siwan.
10. The Sub-Divisional Officer, Maharajganj, District Siwan.
11. The Block Development Officer, Maharajganj. Districgt - Siwan.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ramadhar Shekhar, Adv.  
For the Respondent/s : Mr. Shiv Kumar, AC to GA-3

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)**

**Date : 02-07-2019**

Heard Mr. Ramadhar Shekhar, learned counsel  
appearing for the petitioner and Mr. Shiv Kumar, learned  
Assisting Counsel to Government Advocate No.3 for the State.

The complaint of the petitioner is directed against the  
Chief Secretary, the Principal Secretary, Urban Development



and Housing Department as well as the Principal Secretary, Panchayati Raj Department and the reason is recorded in our order dated 06.05.2019. In short, it is because neither village- Dhanchhua nor village- Jagdishpur is included amongst the Gram Panchayat or amongst the Nagar Panchayat that the petitioner approached this Court.

The complaint of the petitioner is that two earlier attempts for the same purpose though resulted in direction to these authorities but did not bear result. It is noting such circumstances that this Court by order dated 06.05.2019 directed the authorities above named to take consequential steps in the light of the earlier order passed because prima facie the laches amounted to contempt.

It is acting in furtherance of our order that a counter affidavit was filed by the Respondent nos.4 to 6 i.e. the Secretary, Urban Development and Housing Department, the Secretary, Law Department as well as the Collector, Siwan and in which it is stated that a notice has been published in 'प्रपत्र 1' under section 11 of the Bihar Panchayati Raj Act, 2006 to include village Dhanchhua in Gram Panchayat Tewtha and village Jagdishpur in Gram Panchayat, Teghra and objection has also been invited.



It is further stated that the District Magistrate, Siwan would take consequential steps after consideration and disposal of the objection invited in ‘प्रपत्र १’ aforesaid. A Copy of the publication is placed on record vide Annexure ‘A’ series.

Having considered the submissions of learned counsel for the parties and considering that steps have been taken by the authorities in the Panchayati Raj Department including the District Magistrate, Siwan to include the villages in question in Gram Panchayat(s), for the present, we would only advise the concerned authorities to take the process to its conclusion expeditiously but since the process has already started, we do not deem it necessary to keep the writ petition pending which is accordingly disposed of.

**(Jyoti Saran, J)**

**( Partha Sarthy, J)**

skpathak/-

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