

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4281 of 2020

1. Arun Kumar, son of Shivdani Singh, resident of Village- Mallikpur, P.O.- Nemdurganj, District- Nawada (Bihar).
2. Gorelal Singh, son of Late Deshrath Singh, resident of Village - Mallikpur, P.O.- Nemdurganj, District- Nawada (Bihar).
3. Ramesh Singh, son of Late Bhagirath Singh, resident of Village - Mallikpur, P.O.- Nemdurganj, District- Nawada (Bihar).
4. Bailauki Singh, son of Late Bali Singh, resident of Village - Mallikpur, P.O. - Nemdurganj, District- Nawada (Bihar).
5. Balmukund Pandey, son of Late Rajeshwar Pandey, resident of Village - Mallikpur, P.O.- Nemdurganj, District- Nawada (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Commissioner, Magadh Division, Gaya (Bihar).
3. The Joint Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The District Magistrate, Nawada (Bihar).
5. The Deputy Development Commissioner - cum- Chief Executive Officer, Zila Parishad, Nawada (Bihar).
6. The Additional Collector, Nawada (Nawada).
7. The Panchayati Raj Officer, Nawada (Bihar).
8. The Block Development Officer, Akbarpur Prakhand, District - Nawada (Bihar).
9. The Circle Officer, Akbarpur Prakhand, District- Nawada (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Raju Giri, Adv.
For the Respondent/s : Mr.Ajay (Ga5)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 25-02-2020

The petition filed on 24.2.2020 is listed for hearing



for the first time today before the Court.

This application has been preferred praying inter alia for the following relief/s:

“To issue an appropriate writ/ order/ direction, in the nature of certiorari for quashing the Order dated 02.12.2019 passed by the District Magistrate, Nawada as contained in Memo No. 1191 dated 02.12.2019 by which he has given permission to construct ‘Panchayat Sarkar Bhawan’ at Gram Panchayat Raj Mallikpur, Nemdurganj on the land therein Thana No. 338 Khata No. 498 Kheshra No. 88 having an area of 0.50 Decimals as contained in Annexure-

To issue an appropriate writ/ order/ direction, in the nature of mandamus commanding the Respondent District Magistrate-cum-Collector, Nawada to direct for construction of ‘Panchayat Sarkar Bhawan’ at Gram Panchayat Headquarter i.e. Mallikpur on the land which fulfills the criteria earmarked in the Check-List issued by the Office of the District Magistrate.”

Finding the Court not to be in favour of the submissions made across the bar, learned counsel for the petitioner states that the petitioner shall be content, if liberty is granted to the petitioner to approach the authorities venting out his grievances with a further direction for expeditious disposal thereof.



As such, petition is disposed off with a liberty to the petitioner to approach the authority within a period of four weeks for venting out his grievances.

As and when, any such request is received, we expect, the same shall be considered and decided by the authority concerned in accordance with law after complying with the principles of natural justice, expeditiously, not later than six months from the date of receipt thereof.

We clarify that, since disputed questions of fact with regard to title are involved, we do not express any opinion on merits.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

U			
---	--	--	--

