

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.378 of 2021

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Santan Prasad Singh Son of Kameshwar Prasad Singh Resident of Village-
Umga, P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Principal Secretary, Land Reforms and Revenue Department,
Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Aurangabad.
5. The Zila Panchayat Raj Officer, Aurangabad.
6. The Additional Collector, Revenue, Aurangabad.
7. The Sub-Divisional Officer, Aurangabad.
8. The Deputy Collector, Land Reforms, Aurangabad.
9. The Block Development Officer, Madanpur, District- Aurangabad.
10. The Circle Officer, Madanpur, District- Aurangabad.
11. The Mukhiya, Gram Panchayat Officer, Madanpur, P.S. and Block-
Madanpur, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Respondent/s : Mr. Pawan Kumar, AC to AG

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(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-06-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

“I. For issuance of an appropriate writ directing the
respondents restraining them from constructing
Panchayat Sarkar Bhawan on the land appertaining



to khata No. 177 and 176 plot nos. 1489 and 115 area 5-99 acres Mauja Madanpur P.S. Block and Circle Madanpur, District- Aurangabad and which is used as cemetery (burning ghat).

II. For directing the respondents to construct Panchayat Sarkar Bhawan at some other places in the Gram Panchayat Madanpur, P.S. and Block- Madanpur, District- Aurangabad.

III. For declaration that the construction of the Panchayat Sarkar Bhawan on the place aforesaid used as cemetery is illegal .

IV. For any other relief/relief(s) to which the petitioner may be found entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the District Magistrate, Aurangabad to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the District Magistrate, Aurangabad shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following



terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits.



All issues are left open;

(h) The proceedings, during the time of current
Pandemic- Covid-19 shall be conducted through digital mode,
unless the parties otherwise mutually agree to meet in person
i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

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

