

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10319 of 2020

Radha Kishun Sah @ Radhakrishna Sah Son of Ganesh Sah Resident of
Village-Jigna Jagranath @ Jigna Jagarnath, Police Station-Mirganj, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Bihar, Patna.
2. The Commissioner, Saran Pramandal, Saran at Chapra.
3. The District Magistrate, Gopalganj.
4. The District Panchayati raj Officer, Gopalganj.
5. The Sub-Divisional Officer, Hathua, Gopalganj
6. Circle Officer, Hathua, Gopalganj.
7. Block Development Officer, Hathua Block, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Mr. Lokesh Kumar Singh Mr. Kamala Kant Tiwari, Advocates
For the Respondent/s	:	Mr. Patanjali Rishi, A.C. to A.A.G. 6

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

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

Date : 21-06-2021

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

“For issuance of an appropriate writ and / or order
and / or direction commanding the respondents to stop the
construction of proposed Panchayat Sarkar Bhawan in Mauza
Jigna Jagranath, Thana No.1061, Khata No.485, Khesra



No.01 which has been sanctioned by the District Level Committee meeting held under the Chairmanship of District Magistrate, Gopalganj by its letter no.993 dated 27.06.2020 as the site proposed is against the guideline/checklist provided by government.

The petitioner also seeks quashing of letter no.993 dated 27.06.2020 issued by the District Magistrate, Gopalganj for proposed construction of Panchayat Sarkar Bhawan in Jagna Jagranath Panchayat ignoring the new recommendation of Block Development Officer, Hathua vide letter no.880 dated 12.12.2019. The proposed site has been selected on the basis of old recommendation dated 29.08.2017.

The petitioner further seeks a direction to the respondents to consider the recommendation of B.D.O., Hathua for proposed site vide letter no.880 dated 12.12.2019 as it fulfills all the criteria as per checklist issued by the government of Bihar.”

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 authority concerned 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 authority



concerned 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)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2021
Transmission Date	NA

