

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10302 of 2020**

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Dinesh Kumar Yadav Son of Narayan Ray Resident of Village- Hariharpur,  
P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Panchayti Raj, Government of Bihar, New Secretariat, Patna.
2. The Collector Sitamarhi.
3. The Sub Divisional Officer Pupri, District- Sitamarhi.
4. The District Development Commissioner
5. The District Panchayat Raj Officer Sitamarhi.
6. The Block Development Officer Pupri Block, District- Sitamarhi.
7. The Circle Officer Pupri, District- Sitamarhi.
8. The Mukhiya Hariharpur Gram Panchayat, Block- Pupri, District- Sitamarhi.
9. The Panchayat Secretary Block- Pupri, District- Sitamarhi.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Srivastava, Advocate  
For the Respondent/s : Mr. Patanjali Rishi, A.C. to AAG 6

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**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 the parties.

Petitioner has prayed for following reliefs:-

“(A) Issuance of an appropriate writ/writs, order/s direction/s in the nature of mandamus for restraining the respondents to not to construct the Panchayat Bhawan over the land bearing khesra Nos.1299, 1302, 1303 at Hariharpur Panchayat, Block- Pupri, District- Sitamarhi, which areas only 22 decimal, a too small area which is contrary to the State



Government Rules. As there is requirement of 50 decimal of land for the construction of Panchayat Bhawan as per Government policy. In this regard, petitioner (local people) filed representation before the Collector, Sitamarhi (respondent no.2) which yet not been considered.

(B) Further for direction to the respondents to take decision with construction of Panchayat Bhawan at Hariharpur Panchayat, Block- Pupri, District- Sitamarhi in any other suitable land in the middle of the Panchayat Hariharpur as per Government Guidelines.

(C) Further for staying the construction work over the land bearing Khesra Nos.1299, 1302, 1303 till final adjudication of this writ application.

(D) To any other relief/s to which the petitioner is found entitled to.”

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/-

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| AFR/NAFR          | NAFR       |
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