

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10475 of 2020

Sumit Kumar Jha Son of Late Indramohan Jha Resident of Ward No.5, Vill-Govindpur, P.S. Pratapganj, District- Supaul, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Government of Bihar, New Secretariat, Patna- 800001.
2. The District Magistrate, District Supaul, Bihar.
3. The S.D.O., Sub-Division-Birpur, District- Supaul, Bihar.
4. The Circle Officer, Block- Pratapganj, District Supaul, Bihar.
5. Vivekanand Yadav S/o Late Rajendra Yadav R/o Ward No.13, Vill-Govindpur, P.S.- Pratapganj, District- Supaul, Bihar.
6. Archana Devi Wife of Vivekanand Yadav Mukhiya, Panchayat Govindpur, Block- Pratapganj, District- Supaul.

... .. Respondent/s

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 : 22-06-2021

Petitioner has prayed for following relief:-

“The present public interest litigation is at the instance of the petitioner a resident of this State of Bihar, under the provisions of Articles 226 and 227 of the Constitution of India, 1950, in exercise of the extraordinary discretionary writ jurisdiction of this Hon’ble Court, through which the petitioner has sought for a direction upon the Respondents to construct the Panchayat Sarkar Bhawan at the middle of the village on the land proposed by the petitioner instead of the land proposed by Respondent No. 6 under the influence of the Mukhiya of the panchayat which is situated at a tail end of the



panchayat far from the reach of the common people. And also he had already started to build the said Panchayat Sarkar Bhawan.

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	25.06.2021
Transmission Date	NA

