

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10515 of 2020

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1. Lakshman Prasad Mandal, Son of Late Chamru Mandal, resident of Village - Saruwa, P.S.- Bounsi, District - Banka.
 2. Devendra Manjhi, Son of Chunchun Manjhi, resident of Village - Saruwa, P.S. Bounsi, District - Banka.
 3. Arvind Kumar Yadav, Son of Shaligram Yadav, resident of Village - Saruwa, P.S. - Bounsi, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj Department, Government of Bihar, Patna.
3. The Deputy Development Commissioner-cum-Executive Officer, Banka.
4. The District Magistrate, Banka.
5. The District Panchayati Raj Officer, Banka.
6. The Block Development Officer, Bounsi, Banka.
7. The Block Agriculture Officer, Bounsi, Banka.
8. The Circle Officer, Bounsi, Banka.
9. Mukhiya, Saruwa, Block - Bounsi, Banka.
10. The Panchayat Secretary, Saruwa, Block- Bounsi, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Respondent/s : Mr. Ajay, G.A. 5

(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 : 21-06-2021

Heard the parties.

Petitioners have prayed for following relief(s):-

“I. Restraining the respondent authorities to



immediately stop the unauthorized construction of the Panchayat Sarkar Bhawan in Panchayat – Saruwa, Block- Bounsi, District- Banka.

II. Direction to the respondents to construct the Panchayat Sarkar Bhawan at Village headquarter village- Saruwa on pre-approved site, which was selected after following proper government guidance.

III. Direction to the concern authority/respondent to make an inquiry into the misuse of Government fund approved for the construction of the Panchayat Sarkar Bhawan at new site instead of pre-approved site, which was selected government guidance.

IV. Any other relief and reliefs which the petitioners may be found entitled to.

After the matter was heard for some time, learned counsel for the petitioners, under instructions, state that petitioners shall be content if a direction is issued to the District Magistrate, Banka to consider and decide the representation which the petitioners 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, Banka 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)

veena/rajiv-

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

