

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.543 of 2021

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Arun Kumar Pandey @ Arun Pandey, S/o Sri Ram Shankar Pandey, Resident of Village-Morauna, Post-Durgadih, P.S.-Bikramganj, Dist-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar.
2. The Principal Secretary, Panchayat Raj Department, Govt. of Bihar.
3. The District Magistrate, Rohtas (Sasaram).
4. The District Panchayat Raj Officer, Rohtas (Sasaram).
5. The S.D.O., Bikramganj, Rohtas (Sasaram).
6. The Block Development Officer, Block-Bikramganj, Dist-Rohtas (Sasaram).
7. The Circle Officer, Block-Bikramganj, Dist-Rohtas (Sasaram).
8. The Block Panchayat Raj Officer, Block-Bikramganj, Dist-Rohtas (Sasaram).
9. The Panchayat Secretary, Panchayat-Morauna, Block-Bikramganj, Dist-Rohtas (Sasaram).
10. Ankit Kumar Mishra @ Bhadan Mishra, Mukhiya, Gram Panchayat-Morauna, Block-Bikramganj, Dist-Rohtas (Sasaram).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Respondent/s : Mr. Pushkar Narain Shahi, AAG-6

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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):-

“a. To inquire into the matter with regard to the illegal/unsuitable and erroneous selection of the land for construction of 'Panchayat Sarkar Bhavan' in Morauna



Panchayat of Bikramganj Block in Rohtas District as well as to direct the respondent authorities to select the land as per rule laid down for construction of Panchayat Sarkar Bhawan by the Government of Bihar, in Morauna itself.

b. For issuance of writ/s in the nature of Mandamus for restraining such concerned respondent authorities who are exercising their colourable power for their personal satisfaction and greed, are making endeavours to construct the Panchayat Sarkar Bhavan far away from headquarter of Morauna panchayat which is not in public interest, and is against the relevant guidelines.

c. For issuance of an appropriate writ/order/direction upon the Respondents to stop any such construction, if the work has been commenced during pendency of this writ application.

d. And for any other necessary relief/reliefs for which the petitioner is legally entitled too.”

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, Rohtas (Sasaram) 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, Rohtas (Sasaram) 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

