

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.379 of 2021

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Purushottam Kumar Singh S/o- Mohan Prasad Singh, Resident of Village -
Odachak Gobrain, P.O. - Gobrainn, P.S. - Sajour Nathnagar, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Panchayati Rajya Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Rajya Department Govt. of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The District Panchayati Rajya Officer, Bhagalpur.
5. The Block Development Officer, Shahkund, Bhagalpur.
6. The Circle Officer, Shahkund, Bhagalpur.

... .. Respondent/s

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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.)

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma, 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):-

“i). For issuance of a writ in nature of mandamus or any other appropriate writ for commanding the respondents to construct the Gram Panchyat Sarkar Bhawan of Gobrain Gram Panchyat on Gair Mazarua Land situated at Mauza



Gobrain, Khata-1301 Kheshra-997 Area-3 Acre 68 Dismal (Rakwa) as the said spot is appropriate for the said Bhawan and it is beneficial for People of Gobrain Gram Panchyat.

ii). For issuance of writ in a nature of mandamus on any other appropriate writ for restraining the respondents authorities for constructing the Panchyat Sarkar Bhawan of Gobrain Gram Panchyat on the behest of Mukhiya and other officials at the distant place from the said Panchayat near the house of Mukhiya, which is also disputed and as the norms for constructing the said Bhawan.

iii). For issuance any other appropriate writ, order or direction which your lordship may deem-fit and proper in the fact and circumstance of the case.”

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, Bhagalpur 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, Bhagalpur 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

