

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.421 of 2021**

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1. Umashankar Ray S/o Saudagar Ray R/o Bokane Kala, Bokane Kalan, P.s.- Patahi, East Champaran, Bokane Kala, Bihar-845414
  2. Anand Mohan S/o Vakil Puri R/o Bokane Kala, Bokane Kalan, P.S.- Patahi, East Champaran, Bokane Kala, Bihar-845414

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar
3. The District Magistrate, East Champaran, Motihari
4. The Circle Officer, Patahi, East Champaran, Bihar
5. The Block Development Officer, Patahi, East Champaran, Bihar

... .. 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 : Ms. Mayuri, Adv  
For the Respondent/s : Mr. Lalit Kishore A.G

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE S. KUMAR)**

**Date : 27-05-2021**

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

“That this is an application on behalf of the petitioner for issuance of a writ in the nature of mandamus or any other appropriate writ(s), order(s), direction(s) to direct the respondent authority to forthwith stop the construction of the Panchayat Sarkar Bhawan in Bokane Kala Panchayat, District East Champaran as it is completely in violation of guidelines issued on 03.06.2019 and any further construction would lead to more wastage of the public resources. (Annexure-1).



That this is an application on behalf of the petitioner for issuance of a writ in the nature of mandamus or any other appropriate writ(s), order(s), direction(s) to direct the respondent authority to forthwith take all necessary immediate steps to ensure that the Panchayat Sarkar Bhawan is constructed in accordance with the guidelines framed by the Department of Panchayati Raj vide Memo dated 03.06.2019.

To issue a writ in the nature of mandamus or any other appropriate writ(s), order(s), direction(s) to direct the respondent authority to show cause as to why despite several protests by the Panchayat Samiti and villagers proper survey of the land was not done before commencing the construction of the Panchayat Sarkar Bhawan.

To issue a writ in the nature of mandamus or any other appropriate writ(s), order(s), direction(s) to order the respondent authorities to take essential steps against the erring office bearers who due to their own vested interest caused huge loss to the state exchequer.

To issue a writ in the nature of mandamus or any other appropriate writ(s), order(s), direction(s) to order the respondent authorities to ensure that the Panchayat Sarkar Bhawan is constructed in an area which fulfills the criteria laid down by the Government.”

After the matter was heard for sometime, learned counsel for the petitioners submit that petitioner shall be content if a direction is issued to the **respondent no. 3 District Magistrate, East Champaran, Motihari**, to consider and decide the representation with respect to grievances raised in such representation.

Learned counsel for the respondent states that if such representation is filed before the **respondent no. 3 District**



**Magistrate, East Champaran, Motihari,** same shall be considered and decided within a period of two months from the date of receipt of such representation in accordance with law.

Equally liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law.

Liberty reserved to petitioners to approach the court, if the need so arises subsequently on the same and subsequent cause of action.

The writ petition is accordingly, disposed of.

**(Sanjay Karol, CJ)**

**(S. Kumar, J)**

ranjan/-

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| AFR/NAFR          | NAFR       |
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