

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.906 of 2021

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Arun Kumar Singh, Son of Late Har Govind Singh, Resident of Village and Post Office-Balgular, Police Station and Block-Lakhisarai, District-Lakhisarai. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Art, Culture and Youth Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Chief General Manager, Bihar State Building Construction Corporation Ltd., Shastri Nagar, Patna-23.
4. The District Magistrate, Lakhisarai.
5. The District Education Officer, Lakhisarai.
6. The Circle Officer, Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Adv. Mr. Chandra Shekhar Singh Azad, Adv.
For the Respondent/s	:	Mr. Rajeev Roy (GP-1)

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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):-

“1. That the present writ application has been filed by Public Interest Litigation for issuance of appropriate direction upon the Respondents concerned not to construct the Museum over the lands which is attached with Rameshwar Singh +2 Higher Secondary School, Balgudar under Block and District of Lakhisarai as School Maidan as the same Maidan (Field) was handed over to the common villagers of

Balgudar by the Ex-landlord Chandrasen Singh in year 1919 for playing of children and running for youth as the lands is of Maidan is recorded in Cadastral Survey Khatiyan as Gairmajarua Malik Thikedar Parti Kadim but keeping the School Administration as well as common villagers in dark on the basis of table prepared report by Respondent Circle Officer, Lakhisarai, the Respondent District Magistrate, Lakhisarai has handed over the lands of school Maidan to the Art, Culture & Youth Development Department for construction of District Museum and accordingly the Respondent Bihar State Building Corporation has been entrusted to construct the Museum which is not proper in the eye of law and an attempt to deprive the villagers from common Field (Maidan) in which Children, Youth, Senior Citizen of village used for playing and exercise as also since day after independence regular Block level/District level Sports competition are being organised and held in this field but at the instance of some vested interested persons entire act have been done in ignorance to the concerned aggrieved common villagers of Balgudar. Any other order/orders for granting any other relief/reliefs for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances 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, Lakhisarai 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, Lakhisarai 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)

sushma/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25/6/21
Transmission Date	NA