

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12139 of 2022

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1. Himanshu Kumar Sinha Son of Late Vibhuti Prasad Sinha Resident of Village and P.O.-Akbarpur, Ward No. 16, P.S.-Kahalgaon, District-Bhagalpur.
 2. Bipin Paswan Son of Shankar Paswan Resident of Village-Birbeura, P.O.-Sangeet Seuta P.s.-Antichak, District-Bhagalpur.
 3. Nutan devi Wife of Sanjay Kumar Suman Resident of Village-Narayanpur, P.O.-Mandalpur, P.S.-Kahalgaon, District-Bhagalpur.
 4. Sangeeta Devi Wife of Sanjay Thakur, Resident of Village-Jagarnathpur, Ward No.9, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Director, Department of Panchayati Raj Government of Bihar, Patna.
3. The District Magistrate/Collector, District-Bhagalpur.
4. The Sub Divisional Officer, Kahalgaon, District-Bhagalpur.
5. The Circle Officer, Kahalgaon, District-Bhagalpur.
6. The Block Development Officer, Kahalgaon, District-Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Respondent/s : Mr. Ajay, GA-5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-11-2022

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

1. That the petitioners above named craves for indulgence of this Hon'ble Court by way of issuance of any appropriate order/orders, direction/directions or writ/writs, preferably in the nature of Mandamus commanding and directing the Respondent concerned to allot shops to the petitioners and other concerned



applicants as well as allow the remaining under construction shops to be constructed in compliance of the scheme passed by the Panchayat Samiti of Block-Kahalgaon, District- Bhagalpur in its meeting dated 03.08.2019 proposal no. 10, upon which N.O.C./conquerance has also been given by the office of Circle Officer and Sub-Divisional Officer, Kahalgaon

but now under some pressure and influence the authorities concerned are proposing not to allot the shops in question but to run the same through Jiveeka, which is a clear case of betrayal and defalcation of money invested by the applicants/petitioners in anticipation of getting the shop in allotment for the purpose of generating fund from internal resources under self-help scheme. And/or any other relief or reliefs for which the petitioners are found entitled to in the facts and circumstances of this case.

In view of the response filed by the respondent nos. 3, 4 and 6, namely the District Magistrate/Collector, District-Bhagalpur, the Sub Divisional Officer, Kahalgaon, District-Bhagalpur and the Block Development Officer, Kahalgaon, District-Bhagalpur and more specifically, para 9 thereof, learned counsel for the petitioners seeks permission to withdraw the present petition reserving liberty to pursue the matter both with the Panchayat Samittee as also the District Administration, Kahalgaon, District Bhagalpur.



Permission granted.

As such, the instant petition stands disposed of as
withdrawn with the aforementioned liberty to the petitioner.

Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	04/11/2022
Transmission Date	

