

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1039 of 2023

Ramesh Kumar Yadav, Son of Late Raj Narayan Yadav, Resident of Village- Naurangiya, P.O. Sengrahiya, P.S. Muffasil (Lakhaura), District-East Champaran, Motihari, presently Elected Mukhiya of Gram Panchayat Raj Naurangiya, Region- 2.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bailey Road, Patna.
2. The District Magistrate, East Champaran, Motihari. Hereinafter Referred as D.M.
3. The Senior Superintendent of Police, E. Champaran, Motihari.
4. The District Panchayati Raj Officer, E. Champaran, Motihari, Hereinafter referred as D.P.R.O.
5. The Circle Officer, Motihari Sadar, East Champaran, Motihari. Hereinafter referred as C.O.
6. The Revenue Karmchari, Raj Naurangiya Motihari Sadar, E. Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Anshu Dhar Sharma, Advocate
For the State	:	Mr. Ajay, GA-5

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 07-02-2023

The petitioner claims to be a public spirited person and has filed the present writ application seeking a direction to Respondent No. 5 to issue no objection certificate in respect of a piece of land bearing *Khata* No. 189, *Khesra* No. 918, *Rakba*- 9 *Kattha* and 4 *dhurs* for construction of the



Panchayat Bhawan in Gram Panchayat Raj Naurangiya, in the district of Motihari as proposed by the Gram Sabha.

Learned counsel appearing on behalf of the petitioner has submitted that though he had approached the Circle Officer, Motihari Sadar, in this regard, no final action has been taken thereon.

Learned counsel for the State has submitted that the District Magistrate, Motihari, acting upon the petitioner's representation, has promptly taken action in December, 2022. He has submitted that soon thereafter, the present writ application has been filed on 09.01.2023, without waiting for the final decision to be taken by the competent authority in this regard.

Considering the nature of relief which the petitioner is seeking in the present writ application, in our opinion, it was open for the petitioner to have invoked the provisions of Bihar Right to Public Grievance Redressal Act, 2015, by approaching appropriate authority under the said Act.

This writ application stands disposed of with the aforesaid observation.

Existence of Panchayat Bhawan for a Panchayat



is necessity for smooth functioning of Gram Panchayat Raj system. The authorities must keep in mind this aspect of the matter for the purpose of expeditious disposal of the issue, which has been raised in the present writ application.

(Chakradhari Sharan Singh, ACJ)

(Partha Sarthy, J)

Avinash/Prakash

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	08.02.2023.
Transmission Date	N/A

