

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5067 of 2021

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Dinesh Kumar Singh S/o Late Rajandhari Singh, R/o Vill - Sakari, P.S. and District - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Arwal.
3. The Superintendent of Police, Arwal.
4. The Sub Divisional Officer, Arwal.
5. The Deputy Development Commissioner, Arwal.
6. The Block Development Officer, Block Arwal, Arwal.
7. The Mukhiya Gram Panchayat Raj Sonbarsa Block Arwal, District - Arwal.
8. The Mukhiya, Gram Panchayat Raj, Sakari Block Arwal, District - Arwal.
9. The Chief Secretary, Govt of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. P.K.Shahi, Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 31-07-2023

1. The writ petition was filed as a public interest litigation specially alleging that the Panchayat Bhawan sanctioned for the Sakari Panchayat has been shifted to Sonbarsa Panchayat wherein there is already in existence a Panchayat Bhawan.

2. A counter affidavit dated 23.6.2022 has been filed by the District Magistrate, Arwal in which it has been



clearly stated that the Panchayat Bhawan is constructed in Sonbarsa Makbulpur Allauddin, Thana no. 7 within Sakri Panchayat.

3. Learned counsel for the petitioner points out that the counter affidavit of the 6th respondent, who is the Block Development Officer, Arwal is contrary to what has been stated by the District Magistrate. Specific reference is also made to Annexure D of the District Magistrate.

4. We have gone through Annexure D of the 6th respondent's affidavit dated 15.11.2019 in which the District Magistrate specifically directs the construction of the Panchayat Bhawan in Sakari Panchayat itself. The District Magistrate has also indicated the location of construction which includes a number of villages. The Sonbarsa Makbulpur Allauddin is said to be within Sakari Panchayat itself. The Block Development Officer obviously was under a misapprehension because of the name of the location which includes Sonbarsa. In fact the District Magistrate's affidavit specifically points out that Thana No. 7 belongs to Sakari Panchayat and in Panchyat Sonbarsa the Thana No. of Sonbarsa village is 5. The District Magistrate has also produced the measurement report issued by the Incharge Revenue Officer, District Arwal dated 24.12.2021 as Annexure E series. It has been categorically stated that from Annexure E series



also it is clear that the land on which the present Panchayat Bhawan has been constructed falls within Sakari Panchayat in Sonbarsa Makbulpur Allauddin under Thana No. 7.

5. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Spd/-Shiv

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