

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7028 of 2021

-
-
1. Randhir Kumar Singh S/o Sri Rajeshwar Singh Resident of Jhikti (Jhiki @ Salempur Hussain), P.S.- Kurhani, Panchayat- Kinaru, District- Muzaffarpur, Pin- 844127.
 2. Sakindar Kumar S/o Sri Mahendra Ray Resident of Village and P.O.- Panchayat- Kinaru (Turki), P.S.- Manyari, District- Muzaffarpur.
 3. Hira Lal Roy S/o Jai Mangal Ray Resident of Village and P.O.- Panchayat- Kinaru (Turki), P.S.- Manyari, District- Muzaffarpur, Pin- 844127.
 4. Kumar Shubam S/o Sri Ramesh Kumar Singh Resident of Village- Jhikti, P.S.- Kurhani, District- Muzaffarpur, Pin- 844127.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Principal Secretary, Co-operative Department, Government of Bihar, Patna.
3. The Registrar, Co-operative Societies, Bihar, Patna.
4. The Joint Registrar, Co-operative Societies, Muzaffarpur.
5. The District Magistrate, Muzaffarpur.
6. The District Co-operative Officer, Muzaffarpur.
7. Executive Engineer, Local Area Engineering Organisation- 01, Muzaffarpur.
8. Block Officer, Kurhani Block, District- Muzaffarpur.
9. The Chairman, PACS, Kinaru Panchayat, Block- Kurhani, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 17-04-2023

In the instant writ petition, petitioner has prayed for
the following relief(s):-



“(i) For directing the respondent authorities particularly District Co-operative Officer, Muzaffarpur i.e. respondent no. 6, The Principal Secretary, Co-operative Department, Govt. of Bihar i.e. respondent no. 2 as well as to the Executive Engineer, Local Area Engineering Organisation-01 (LAEO-01) i.e respondent no. 7 and the Contractor to complete the construction of Godown for which work order has already been issued to construct the godown having capacity of one thousand metric ton in the Financial year 2018-19 vide memo no. 1571 dated 18.09.2018.

(ii) For directing the Collector and Principal Secretary to assume the completion of work which is for the welfare of the farmers of the locality particularly for Kinaru Panchayat, District-Muzaffarpur.

(iii) For any other relief or reliefs for which petitioners are entitled for.”

02. The present petition is in the form of public interest litigation for the purpose of execution of public work, insofar as construction of Godown. If there are any legal hurdle insofar as subject matter of land, in that regard, the District Co-operative Officer, Muzaffarpur, is hereby directed to have the opinion of the District Magistrate, Muzaffarpur, insofar as subject land is concerned. In this regard, necessary revenue material shall be placed by the District Co-operative Officer,



Muzaffarpur. Based on opinion of the District Magistrate, Muzaffarpur to the extent of subject land (revenue), if it is of Government, in that event, proceed with the construction of Godown. If the subject land is not of the Government, in that event, obtain necessary order(s) from the District Magistrate, Muzaffarpur, with a request to undertake re-survey of subject land at the earliest. In this regard, the concerned-respondent is hereby directed to complete the construction of Godown within a period of one year from today in accordance with law.

03. With the above observations, the writ petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Ashish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.04.2023
Transmission Date	NA

