

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11949 of 2022

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Nitu Tiwari W/o Indu Bhushan Tiwari, Resident of Village and P.S.- Chandi,
P.O. Narhi Chandi, District- Bhojpur. Presently residing at Narayan Colony,
Old Police Line, P.S. Ara Town, District Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Panchayati Raj Department, Govt.of Bihar Patna.
2. The Additional Chief Secretary, Panchayati Raj Department,, Govt. of Bihar Patna.
3. The Director Panchayati Raj Department, Govt. of Bihar Patna.
4. The District Magistrate, Bhojpur.
5. The District Panchayat Raj Officer, Bhojpur.
6. The Sub-Divisional Officer, Bhojpur.
7. The District Program Officer, Bhojpur.
8. The Executive Engineer Rural Engineering Organization, Bhojpur.
9. The Circle Officer, Koilwar, Bhojpur.
10. Block Development Officer, Koilwar, Bhojpur.
11. Sri Dhananjay Chauhan @ Dhanjay Nonia, S/o Late Kisto Bhagat, R/o Village and P.S.- Chandi, P.O. Narhi Chandi, District - Bhojpur, Present Mukhiya of Narvirpur Gram Panchayat Raj, P.S.- Chandi, P.O. - Narhi Chandi, District - Bhojpur.
12. Sri Ranjeet Sah, S/o Late Yamuna Sah, R/o Village and P.S.- Chandi, P.O. Narhi Chandi, District - Bhojpur, Present Ward Member of Ward No. - 13, Narvirpur Gram Panchayat Raj, P.S. - Chandi, P.O. Narhi Chandi, District - Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh,Advocate
For the Respondent/s : Mr.Kumar Alok,Standing Counsel-7
Mr.Rakesh Kumar,AC to SC-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-04-2023 In compliance to the earlier order of this
Court, the District Magistrate, Bhojpur at Ara, has



filed a counter affidavit and a show cause tendering unconditional apology for the delay and inconvenience caused to this Court, on account of the orders of this Court having not been complied with in its true letter and spirit. The show cause submitted by the District Magistrate, Bhojpur at Ara, is accepted and the rule is discharged.

As far as the merit of the case is concerned, it is submitted that the PCC road constructed over the private *raiya* land of the petitioner has been removed and the said fact has also been accepted by the learned counsel for the petitioner, who submits that now the petitioner is not having any subsisting grievances. Nonetheless, this Court finds that consequently, there has been wastage and misutilization of public money by the panchayat concerned, on account of the admitted fact that without the approval of the revenue authorities, the project in question, was undertaken illegally. In this regard, it is submitted by the learned State Counsel that show cause has already been issued to the Mukhiya of the Gram



Panchayat, Narbirpur and two other functionaries of the said Gram Panchayat, vide letter dated 11.04.2023, and appropriate action shall definitely be taken against the defaulters.

In view of the aforesaid, this Court deems it fit and proper to give a quietus to the present case.

Accordingly, the present writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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