

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5586 of 2024

Subhash Kumar Paswan @ Subash Paswan Son of Puna Paswan Resident of
Village- Husaina, P.S.- Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms Department, Bihar, Patna.
2. The District Magistrate, Nalanda at Bihar Sharif.
3. The Sub Divisional Officer, Nalanda at Bihar Sharif.
4. The Block Development Officer, Sarmera, District- Nalanda at Bihar Sharif.
5. The Circle Officer, Sarmera, District- Nalanda at Bihar Sharif.
6. The Station House Officer, Sarmera, Sarmera, District- Nalanda at Bihar Sharif.
7. The District Programme Officer, Nalanda at Bihar Sharif.
8. The Rojgar Sewak, MNREGA, Block and P.S.- Sarmera, District- Nalanda at Bihar Sharif.
9. The Block Programme Officer, Sarmera, District- Nalanda at Bihar Sharif.
10. The Mukhiya, Gram Panchayat Raj, Hussaina, P.S.- Sarmera, District- Nalanda at Bihar Sharif.
11. The Contractor (husband of Mukhiya) of Gram Panchayat Raj, Hussaina, P.S.- Sarmera, District- Nalanda at Bihar Sharif, under the scheme of MNREGA and Education Department for Construction boundary wall of High School, Hussaina under Scheme No.- 4/23-24.
12. The Village Level Worker, Gram Panchayat Raj, Hussaina, P.S.- Sarmera, District- Nalanda at Bihar Sharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Respondent/s : Mr. Ajay, GA 5

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-06-2024 The present writ petition has been filed seeking the following reliefs:-

“i. For issuance of writ particularly in the nature of mandamus directing and commanding the



respondent authorities especially the Circle Officer, Sarmera to construct the boundary wall of the High School, Hussaina after leaving ingress and egress for the petitioner as well as villagers of Hussaina village, under the scheme No. 4/23-24 is being constructed by MNREGA after giving no objection of Education Department, Bihar, Patna.

ii. For further direction to respondent District Magistrate, Nalanda to take appropriate action against person concerned who in collusion with other officials and contractor under the influence of local Mukhiya has allowed to construct boundary wall Pucca construction upon the land without leaving ingress and egress for the petitioner as well as villager of Hussaina village and despite of repeated representation has not taken any action against the person concerned.

iii. For further direction to the respondent authorities to direct the Block Development Officer, Sarmera as well as other officers to stop the construction of boundary wall with immediate effect who are constructing the boundary wall of the school without leaving ingress and egress for the petitioner and villagers and right of easement of the petitioner as well as other villagers has been violated.

iv. For further direction to the respondent authorities to dispose of the representation of the petitioner by reasoned and speaking order within time frame.”



2. At the outset, learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, Nalanda at Bihar Sharif for redressal of his aforesaid grievances.

3. Liberty so sought is granted.

4. It is needless to state that in case the petitioner files appropriate petition before the District Magistrate, Nalanda at Bihar Sharif, within a period of four weeks from today, the District Magistrate, Nalanda at Bihar Sharif shall examine the same in accordance with law and try to resolve the issue in hand, forthwith.

5. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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