

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12702 of 2024

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Vivekanand Mishra, Son of Late Satyanarayan Mishra, Resident of village-
Ganoul, Anchal- Narayanpur, P.S.- Bhawanipur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Panchayat Raj Department, Patna.
2. The Director, Panchayat Raj Department, Bihar, Patna.
3. The Additional Secretary, Panchayat Raj Department, Bihar, Patna.
4. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
5. The District Magistrate, Bhagalpur.
6. The Superintendent of Police, Naugachhia, District- Bhagalpur.
7. The District Panchayat Raj Officer, Bhagalpur.
8. The Deputy Collector, Land Reforms, Naugachhia, District- Bhagalpur.
9. The Sub Divisional Officer, Naugachhia, District- Bhagalpur.
10. The Block Development Officer, Narayanpur, District- Bhagalpur.
11. The Circle Officer, Narayanpur, District- Bhagalpur.
12. The Mukhiya, Sihpur Paschim Panchayat, Block- Narayanpur, District- Bhagalpur.
13. Sri Pritam Mishra Son of Sri Jarmani Mishra and Mukhiyapati, Sihpur Paschim Panchayat, Block- Narayanpur, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
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 : 18-09-2024

The writ petition is filed as a Public Interest Litigation
alleging that the Respondent Nos. 12 and 13 have misused
government funds by constructing a Samudayik Bhawan on a



road and also on a private land.

2. A counter affidavit is filed by the respondents, wherein it has been clearly stated that the subject building was constructed in Khata No. 751, Khesra No. 717 with Jamabandi No. 2646 in Mauza Sihpur. Twenty per cent of the land belongs to the Government being Gair Majarua land and 75 per cent belongs to private respondent Pritam Mishra and his four brothers. It is also submitted that 2.88 decimals of land was purchased from Pritam Mishra and his four brothers while the eldest brother Pawan Kumar Mishra donated land in favour of the State Government.

3. None appeared for the petitioner consistently on the earlier two occasions. Today also, none appeared for the petitioner when the matter was called in the list and then kept aside for hearing.

4. The writ petition stands dismissed with cost of Rs. 5,000/- as against the writ petitioner for filing a frivolous petition without proper inquiry. The cost shall be payable to the Bihar State Legal Services Authority. The said amount will have to be paid within a period of two weeks, failing which the Bihar State Legal Services Authority will be entitled to proceed for recovery by taking measures similar to recovery of arrears due



on land through the District Magistrate, in which event the petitioner shall also be liable for the charges incurred for making such recovery, which have to be recovered by the State.

5. Let a copy of this judgment be transmitted to the Member Secretary, Bihar State Legal Services Authority.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	20.09.2024
Transmission Date	

