

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12637 of 2024

Om Prakash Singh son of Chandip Singh, resident of Village-Ismailpur,
Harpur, P.S.-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna, Bihar.
2. The Principal Secretary, Urban Development Department, Patna, Bihar.
3. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
4. The Executive Engineer, Local Engineering Organization, Work Division, Buxar, District Buxar.
5. The Additional Chief Secretary, Department of Panchayati Raj, Patna, Bihar.
6. The District Magistrate, Buxar.
7. The Monitoring Officer, Department of Panchayati Raj, Patna, Bihar.
8. The Sub-Divisional Officer, Rajpur, Buxar.
9. The Circle Officer, Rajpur, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Respondent/s : Mr. Rakesh Ambashtha, AC to A AG (7)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2024 Heard Mr. Rajiv Ranjan Kumar Pandey, learned
counsel for the petitioner and Mr. Rakesh Ambashtha, learned
AC to AAG-3.

2. The petitioner has preferred this writ petition for
the following relief(s):-

“1/A. That writ application is being filed for Quashing the Tender Notice dated 25.06.2024 for the construction of Panchayat Bhawan to the extent of 'Pipradh' Panchayat at Rajpur Block, District Buxar, since there is no Pipradh Panchayat at Rajpur Block, District Buxar, issued/advertise vides E-Tender Notice No-02/SBD (LAEO Buxar) /CIR- PAT/2024-25 Dated 25.06.2024 for the construction of 'Panchayat Building' of 'Pipradh Panchayat'.

1/B. For further directing the concerned respondent to not construct the



said 'Panchyat Building' anywhere except the land mentioned in letter no- 1414 dated 01.07.2023, the land situated at Muza 'Harpur', Thana No- 199, Khata No-354, Khasra No-1272 total area about 50 Decimal of 01 Acre 59 Decimal of the said land,

1/C. For issuance of other writ/writs order/ orders, direction/ directions for which the petitioner found entitle to.”

3. This is second round of writ petition, the earlier being CWJC No. 1104 of 2024 (Om Prakash Singh v. The State of Bihar & Ors) which was disposed of on 02.07.2014 with a direction to the petitioner to file a representation before Respondent No.4, the District Magistrate, Buxar who was directed to decide in four months.

4. Learned counsel for the petitioner submits that before the order was passed, tender has already been allowed and its serial-5 shows that Panchayat Bhawan is to be constructed at Pipradh, which according to the petitioner, is a ‘*Gairmazarua Aam Raasta*’. He submits that the earlier decision to construct it at Harpur Panchayat has been shelved without any reason.

5. Learned State counsel submits that earlier the writ petition was filed and the petitioner accordingly approached the Respondent-District Magistrate, Buxar and without waiting for a decision, another writ petition has been filed. He has taken this



Court to the representation to show that the petitioner has not even annexed the order of the Patna High Court as there is no averment that the High Court has directed to file a representation nor the copy of the order has been attached and shown as annexure.

6. This Court finds force in the submission put forward by the learned counsel for the State. Pursuant to the order passed on 02.07.2024, a representation was filed on 18.07.2024 duly received in the office of District Panchayat Raj Officer, Buxar. A reading of the said representation would show that there is no mention of the order passed by this Court earlier on 02.07.2024.

7. In that background, this Court wanted to impose cost upon the petitioner but since the issue relates to a social cause, it is refraining from doing so. The petitioner, if so desires, can approach the District Magistrate, Buxar afresh bringing on record each and every fact so that he could take a decision expeditiously.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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