

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16226 of 2024

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1. Krishna Kumar Mistri Son of Shankar Mistri Resident of village- Babhangama, PO and PS- Bounsi, District- Banka.
 2. Sikandar Yadav, Son of Jai Ram Yadav, Resident of village- Proain, P.O. and P.S.-Bounshi, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate, Banka.
4. The District Panchayati Raj Officer, Banka.
5. The District Fisheries Officer, Banka.
6. The Sub-divisional Officer, Bounshi, District- Banka.
7. The Circle Officer, Bounshi, Banka.
8. The Mukhiya, Babhangawan Gram Panchayat, Circle Bounshi, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Respondent/s : Mr.Government Pleader 20

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-10-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For a direction upon the respondent authorities to make proper selection of the venue /land/site for construction of Panchayat Sarkar Bhawan of Gram Panchayat Raj Babhangawan, situated in Bounshi Block of Banka district in light of the guidelines issued by the Panchayati Raj department, vide letter no.8354 dated 30-08-2022, wherein specific



guidelines for selection of venue of Panchayat Sarkar Bhawan has been prescribed.

(ii) For quashing of order dated 06-08-2024 passed by the District Magistrate cum Second Appellate Authority, District Public Grievance Resolution Forum, Banka by which petition filed by the petitioner has been rejected ignoring the guidelines issued by the Panchayati Raj department contained in letter no.8354 dated 30-08-2022 and has affirmed the venue choosen by the present Mukhiya, on a wrong pretext that the venue selected and suggested by the earlier Mukhiya is at a place where there is rocky ground and is not smooth, which will cause inconvenience to the public at large. While deciding this issue the District Magistrate and other authorities have failed to appreciate that primary and middle school, health center as well as markets are situated nearby the site proposed by the earlier Mukhiya, which was duly recommended by the then Circle officer of Bounshi block whereas the present proposed site over which respondents have decided to construct the Panchayat Bhawan in Lalmatia village is a faraway place for the villagers of the entire Panchayat whereas Babhangawan village is centrally located and is convenient for all as it is situated at prime location.

(iii) For a direction to consider and dispose of



the representation of the petitioners and other villagers after giving them due opportunity of hearing in accordance with the guidelines issued by the State Government.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the District Magistrate, Banka for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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