

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3072 of 2017
In
Civil Writ Jurisdiction Case No.2043 of 2016

Mithilesh Kumar Son of Sri Maheshwar Mahto, Resident of Village-Gonawan, Police Station- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Old Secretariat, Patna and Ors
2. Sri Anjani Kumar Singh, the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. Sri Atul Prasad, the Principal Secretary, Social Welfare Department, Government of Bihar, Old Secre
4. Sri Thiyagarajan SM, The District Magistrate, District- Nalanda at Bihar Sharif.
5. Sri Sudhir Kumar Porkia, The Superintendent of Police, District- Nalanda at Bihar Sharif.
6. Sri Sudhir Kumar, The Sub Divisional Officer, Bihar Sharif Sub Division, Bihar Sharif, District- Na
7. Sri Umesh Kumar, The Circle Officer, Harnaut Circle Office, District- Nalanda.
8. Sri Devendra Kumar, The Block Development Officer, Block Office, Harnaut, District- Nalanda.
9. Sri Sanjay Kumar, The Officer-in-Charge, Police Station Harnaut, District- Nalanda.
10. Sri Sudish Kumar Singh, Mukhiya Gonawan Gram Panchayat, Block Harnaut, District- Nalanda.
11. Sri Sachchidanand Singh, Panchayat Secretary, Gonawan Gram Panchayat, Block Harnaut, District- Nala

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1, Advocate
For the Opposite Party/s : Mr.Kaushal Kumar Jha, AAG-8

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 02-05-2024 Pursuant to the last order in August, 2023, a
supplementary show cause on behalf of the District Magistrate,



Nalanda is on record and the State Counsel has taken this Court to different show cause as also para-9 of the petition to show that the District Magistrate constituted a enquiry team headed by Sub Divisional Officer, Biharsharif and included the D.C.L.R., Biharsharif who made spot inspection, got the land measured by the Circle Officer, Harnaut and as per the report the land of the petitioner (plot no. 667) is Bakast Malik in nature whereas plot no. 669 is Gairmazarua Aam Pain as recorded in the survey Khatiyani. The further categorical statement has been made that in the report, the Anganbari centre no. 99 is not situated on the said plots rather it is on 997 which again the Gairmazarua Aam Alang as recorded in the survey Khatiyani.

2. This show cause was handed over to the learned counsel for the petitioner in the month of August, 2023 itself.

3. This Court is satisfied with the show cause/report submitted regarding the presence of Anganbari centre. Though, learned counsel for the petitioner submits that he had filed rejoinder. This Court could not find out the same.

4. In that background, learned counsel for the petitioner submits that he may be given liberty to approach the appropriate authority/Court, in case, it is found that contrary to



the stand taken by the State officials, the Anganbari centre is located elsewhere.

5. In that background, granting the said liberty, the MJC No. 3072 of 2017 stands disposed of.

(Rajiv Roy, J)

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