

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.728 of 2025

1. Umesh Kumar Sinha son of Madheswar Yadav, resident of Village and P.O. - Sadaveh, P.S. Dulhin Bazar, District - Patna- 801102.
2. Sudha Devi, wife of Akhilesh Pandit, Village and P.O.- Sadaveh, P.S.- Dulhin Bazar, District Patna- 801102.
3. Hari Shankar Sao, son of Sheopujan Sao, Village and P.O. - Sadaveh, P.S. - Dulhin Bazar, District - Patna 801102.
4. Rita Devi wife of Rohan Chaudhary, Village and P.O. - Sadaveh, P.S. - Dulhin Bazar, District Patna 801102.
5. Rinki Devi, wife of Santosh Kumar, Resident of Village - Khapuri, P.O. - Sadaveh, P.S.- Dulhin Bazar, District - Patna 801102.
6. Shiv Narayan Mochi, son of Ram Jivan Mochi, Resident of Village Khapuri, P.O. Sadaveh, P.S. Dulhin Bazar, District - Patna 801102.
7. Reena Devi, wife of Rantosh Mochi, Resident of Village - Khapuri, P.O. - Sadaveh, P.S.- Dulhin Bazar, District - Patna 801102.
8. Ram Anuj Mochi, son of Ram Jivan Mochi, Resident of Village Khapuri, P.O. Sadaveh, P.S. Dulhin Bazar, District Patna 801102.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The District Panchayati Raj Officer, Patna.
6. The Block Development Officer, Dulhin Bazar, Patna.
7. The Circle Officer, Dulhin Bazar, Patna.
8. The Officer-in-Charge Dulhin Bazar Police Station, Patna.

... Respondent/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Respondent/s : Mr. Standing Counsel, 08

For the Respondent/s : Mr. Standing Counsel, 08

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 04-08-2025 Heard learned counsel for the petitioners and
learned counsel for the Respondent-State.



2. This writ application relates to construction of Panchayat Sarkar Bhawan and its situs.

3. The issue relating to construction of Panchayat Sarkar Bhawan and its situs is no longer, res integra. Vide **judgment dated 23.02.2024** passed in **C.W.J.C. No. 3280 of 2024** in the case of **Krishna Deo Kumar v The State of Bihar & Ors.**, the learned Division Bench of this Court has held and observed as follows:-

“5. It is worth noting that so far the construction of Panchayat Sarkar Bhawan is concerned, the same is within the exclusive jurisdiction of the Gram Panchayat and a decision as to its situs lies entirely within the domain of Panchayat concerned and the State Government has exclusive jurisdiction to take a decision in this regard. So far the grievance of the petitioner is concerned, he has already represented before the concerned authorities, including the District Magistrate, Arwal and any direction of this Court would be uncalled for, in the matter.”

4. In view of the above judgment, it is clear that the construction of Panchayat Sarkar Bhawan and a decision as to its situs lies entirely within the domain of the State Government.

5. In such view of the matter, the present writ application is not maintainable. However, the petitioners are



granted liberty to file a detailed representation before the District Magistrate, Patna with regard to his grievances, which will also include the grievance which the petitioners are raising in this writ that the houses of the petitioners constructed under Prime Minister Awas Yojna is also being sought to be demolished. If such a representation is filed within one month from the date of this order, the same shall be disposed of by the District Magistrate, Patna after hearing the petitioners. The entire exercise must be completed within a period of three months from the date of the filing of the representation.

6. With the aforesaid liberty granted, the present writ application is disposed of as not maintainable.

(Alok Kumar Sinha, J)

Jyoti Kumari/-

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