

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6185 of 2025

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1. Mahesh Kumar s/o Bindeshwar Paswan, R/o Mohammad pur Pohiyari Chamarhara Mamsai, P.S. Sahdei Buzurg, District-Vaishali.
 2. Mohit Paswan, s/o Singeshwar Paswan, R/o Mohammad pur Pohiyari, Chamarhara Mamsai, P.S. Sahdei Buzurg, District-Vaishali.
 3. Binda Paswan, s/o Garhu Paswan, R/o Mohammad pur Pohiyari,, Chamarhara Mamsai, P.S. Sahdei Buzurg, District-Vaishali.
 4. Lalmohan Paswan, s/o Jay Narayan Paswan, R/o Mohammad pur Pohiyari,, Chamarhara Mamsai, P.S. Sahdei Buzurg, District-Vaishali.
 5. Shivu Paswan, S/o Lachhman Paswan, R/o Mohammad pur Pohiyari,Chamarhara Mamsai, P.S. Sahdei Buzurg, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Panchayati Raj Department, Government of Bihar, Patna.
2. Secretary Panchayati Raj Department, Government of Bihar, Patna.
3. District Magistrate, Hajipur at Vaisali.
4. Deputy Development Commissioner, Hajipur at Vaisali.
5. District Panchayati Raj Padadhikari, Hajipur at Vaisali.
6. Sub Divisional Officer, Mahnar, Hajipur at Vaisali.
7. Block Development Officer, Sahdei Buzurg, Hajipur at Vaisali.
8. Executive Engineer, Hajipur at Vaisali.

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s :

Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-09-2025

None appears for the petitioners.

2. In the instant writ petition, petitioners have prayed
for the following reliefs :



“(i) For issuance of a direction to the respondents specially respondent on 6 to 8 to construct the Panchayat Bhavan under Salha Panchayat of District – Vaishali under Sub Division Mahnar Block Sahdei Buzurg till June 2025 as per the press note dated 10.02.2025.

(ii) For further direction to the specially respondent no. 4 and 5 to remove the encroachment over the land which was already demarcated for construction of Panchayat Sarkar Bhawan, which was postponed due to cold weather.

(iii) For further direction to the respondent authority not to take any action who are willing and desiring for construction of said Panchayat immediately as for the direction of state government.

(iv) For any other order or orders for which the petitioner is entitled may be pass by this Hon'ble court under the facts and circumstances of the case.”

3. The aforementioned reliefs are not supported by any demand before the concerned authority. In the absence of necessary application or representation before the concerned authority, the question of issuance of direction to the respondents would not arise, in view of the fact that for the purpose of issuance of writ of mandamus, ingredients relating to demand before the concerned authority read with the vested



right are required to be appraised. Accordingly, the present writ petition stands disposed of as not maintainable.

4. Disposal of the present writ petition would not be a hurdle for the petitioners to approach the concerned authority with necessary materials in the form of application or representation. If it is submitted, in that event, the concerned authority is hereby directed to examine the grievance of the petitioners within a period of four months from the date of receipt of petitioners' application or representation to be submitted.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

GAURAV S./-

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