

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5734 of 2025

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Sanjay Kumar Son of Baleshwar Singh, Resident of Village and Post-
Manjhos, Block, Circle and P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj
Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Govt. of Bihar,
Patna.
3. The Director, Panchayati Raj Department, Govt. of Bihar, Patna.
4. The District Magistrate, Jehanabad.
5. The Dy. Development Commissioner, Jehanabad.
6. The District Panchayati Raj Officer, Jehanabad.
7. The Sub Divisional Officer, Jehanabad.
8. The Block Development Officer, Block- Makhdumpur, District- Jehanabad.
9. The Circle Officer, Circle- Makhdumpur, District- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Respondent/s : Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: MR. JUSTICE PARTHA SARTHY)

2 01-08-2025 Heard learned counsel for the petitioner and learned
Advocate General for the State.

2. The petitioner who describes himself as a



representative of Manjhos Panchayat and claims to be associated with a national political party has filed the instant case in the nature of a public interest litigation praying to restrain the respondents from constructing the Panchayat Sarkar Bhawan in village Sagarpur under Gram Panchayat-Manjhos in the District of Jehanabad.

3. It is the case of the petitioner that a meeting was convened by the District Panchayati Raj Officer, Jehanabad for selection of land and for construction of the Panchayat Sarkar Bhawan wherein the Circle Officer, the Block Development Officer and the Block Panchayati Raj Officer participated. In spite of land for construction of Panchayat Sarkar Bhawan in accordance with guidelines issued by the Government of Bihar being available near the Panchayat head office, ignoring the same the Circle Officer, Makhdumpur submitted a fabricated report for construction of the Bhawan 3-4 kilometers away in village Sagarpur.

4. It was contended by learned counsel for the petitioner that the land proposed for construction of the Panchayat Sarkar Bhawan is disputed by the land owners who filed their representation before the Circle Officer along with the rent receipt dated 30.3.2015 for the year 2014-15. Further



referring to the contents of the supplementary affidavit filed on behalf of the petitioner learned counsel for the petitioner submits that the owners of the land have also filed Title Suit no.55 of 2025 in the Court of the learned Sub-Judge-I, Jehanabad praying for declaration of their title and for a decree of permanent injunction. As such learned counsel for the petitioner prays that the respondents be restrained from constructing the Panchayat Sarkar Bhawan at the disputed site in village- Sagarpur.

5. Opposing the application learned Advocate General appearing for the State submits that from the contents of the petition itself it would be evident that the petitioner has no locus standi to file the instant application. From the averments made in the supplementary affidavit itself it would be evident that some individuals have filed a title suit which is pending in the Court of learned Sub-Judge-I, Jehanabad and for this reason also the instant application is not maintainable. It is lastly submitted that so far as this petitioner is concerned, he has not made out any case for any order to be passed by this Court specially when the title suit filed by persons claiming to be the owners of the land is pending in the learned Court below.

6. Having heard learned counsel for the parties and



having perused the materials on record this Court finds that the land in question in village-Sagarpur was recommended for construction of the Gram Panchayat Sarkar Bhawan. From the contents of the writ petition itself it transpires that certain individuals have raised dispute with respect to the ownership of the land and have themselves filed Title Suit no.55 of 2025 in the Court of the learned Sub Judge-I, Jehanabad praying for declaration of their title, non-title of the defendants and also for a decree of a permanent injunction restraining the defendants from making any construction over the suit land or interfering in the plaintiffs possession over it. As per the case of the petitioner himself, the proposed site for construction of the Gram Panchayat Sarkar Bhawan is the same land/site in village Sagarpur which is the subject matter of the title suit filed by the individuals/plaintiffs who are not the petitioner herein.

7. In view of the facts and circumstances stated hereinabove, the matter already being pursued by persons claiming title over the land in question in the title suit in the Court of learned Sub Judge-I, Jehanabad, in the opinion of the Court the instant application and that too at the instance of a stranger to the land is not maintainable.

8. The Court finds no merit in the instant application



and the same is dismissed.

(Vipul M. Pancholi, CJ)

(Partha Sarthy, J)

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