

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6632 of 2025

1. Satyendra Singh son of Late Ram Laxan Singh, resident of Village-Ramsiriya, P.S.-Malahi, District-East Champaran.
2. Guddu Kumar, Son of Gopal Sah, resident of Village-Barharwa, P.S.-Malahi, District-East Champaran.
3. Puja Devi, wife of Manoj Kumar, resident of Village-Ramsiriya, P.S.-Malahi, District-East Champaran.
4. Sabita Devi, Wife of Chandeshwar Sah, resident of Village-Baraharwa, P.S.-Malahi, District-East Champaran.
5. Pramila Devi, wife of Laldhari Mahto, resident of Village-Baraharwa, P.S.-Malahi, District-East Champaran.
6. Urapramila Devi, Wife of Shivnath Prasad, resident of Village-Chatiya Badharawa Ward No. 7, P.S.-Malahi, District-East Champaran.
7. Gagandev Thakur, son of Nayak Thakur, resident of Village-Ramsiriya, P.S.-Malahi, District-East Champaran.
8. Ramnath Kunwar, son of Gautam Kumar, resident of Village-Ramsiriya Ward No. 9 Chatiya Baraharwa, P.S.-Malahi, District-East Champaran.
9. Rajendra Yadav, son of Chandra Yadav, resident of Village-Baraharwa, P.S.-Malahi, District-East Champaran.
10. Dilip Kumar, son of Gopal Prakash, resident of Village-Chatiya Baraharwa, P.S.-Malahi, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department.
2. The Principal Secretary, Panchayati Raj, Bihar, Patna.
3. The District Magistrate cum Collector, East Champaran at Motihari.
4. The District Panchayat Officer, East Champaran at Motihari.
5. The Circle Officer, Areraj, East Champaran, Motihari.
6. Mukhiya Gram Panchayat Raj, Chatiya Baraharwa, P.S.-Malahi, District-East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kant Mani Tripathi, Advocate Miss Ajita, Advocate
For the Respondent/s	:	Mr. Jitendra Kumar Roy, SC-13. Mr. U. K. Singh, A.C. top SC 13.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 23-04-2025

Heard Mr. Binay Kant Mani Tripathi, learned



counsel for the petitioner and Mr. Jitendra Kumar Roy, learned counsel for the State of Bihar.

2. In the present writ application, the petitioner has prayed for grant of following reliefs :-

“For issuance of writ in nature of Mandamus commanding respondents to select the land appertaining of Khata No.1152, Plot No.2645 situated in midst of Village-Chatiya Baraharwa. The original head village Panchayat and marked place for construction of Panchayat Bhawan is situated at last territorial place of Panchayat in Diara which becomes submerged with flood water of River Gandak and people of Diara use to come at Embankment of Ganga River in rainy season without following of prescribed procedure under Rule-3 of Bihar Panchayat Prakirn Rules, 1961 arbitrarily in collusion between respondent No.5 and 6 on among others.”

3. In the matter relating to construction of Panchayat Sarkar Bhawan, a Division Bench of this Court vide Judgment and order dated 23.02.2024 delivered in **C.W.J.C. No. 3280 of 2024** 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. Considering the above, there is little scope available for the petitioner in the present writ application and hence the present writ application is disposed of with a direction to the District Magistrate, East Champaran, Motihari to dispose of the pending representation of the petitioner dated 04.03.2025 (Annexure 4 series) within one month from the date of production of a copy of this order after giving an opportunity of hearing to the petitioner. While appearing before the District Magistrate, East Champaran, Motihari, the petitioner would be at liberty to file a supplementary representation giving additional grounds in support of his case.

5. The order passed by the District Magistrate, East Champaran, Motihari shall be reasoned and speaking order.

6. With the aforesaid observation and direction, this present writ application is disposed of.

(Alok Kumar Sinha, J)

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