

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6592 of 2025

Yogendra Yadav S/o- Late Surya Narayan Yadav, At Jaroli, Ward No.17,
Ratauli, P.O.- Ratauli, P-s.-Pipra, District - Supaul, Bihar- 852138.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Koshi Division, Saharsa.
3. The Division Commissioner, Supaul.
4. The District Magistrate, Supaul.
5. The District Panchati Raj Officer, Supaul.
6. The Sub-Divisional Officers, Supaul.
7. The Circle Officer, Supaul.
8. The Block Development Officer, Supaul.
9. The Mukhiya Gram Panchayat Raj, Ratauli, Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shrikesh Kumar Singh
For the Respondent/s : Mr.Standing Counsel (06)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 23-04-2025 Heard the parties.

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

*“(i) For issuance of a direction / order to the
respondent authorities to abstain from construction of
Panchayati Sarkar Bhawan on the land Khata No.133
Khesra No.358 in the western side of Ratauli Panchyat.*

*(ii) For issuance of a direction / order to the
respondent authorities to contract Panchayati Sarkar
Bhawan on the land Khata NO.400 Khesra Noi.1451 in
Ratauli Panchayat Circle Office-Pipra, Distt. Supaul.*

*(iii) For issuance of a direction / directions of
Respondent to pass any other order / orders which is to
the petitioner accordance with law.*



3. The petitioner humbly submits that the location identified for construction of Panchayat Sarkar Bhawan on the land bearing Khata No.133, Khesra No.358 in village Ratauli is not the proper place for construction of the Panchayat Sarkar Bhawan and instead thereof, Panchayat Sarkar Bhawan should be constructed on land bearing Khata No.400 Khesra No.1451 in Ratauli Panchayat Circle Office, Pipra, Distt. Supaul.

4. The learned counsel appearing for respondent-State has brought to the knowledge of this Court a recent decision delivered in C.W.J.C. No.3280 of 2024 in the case of **Krishna Dev Kumar Vs. State of Bihar** and others in which it has been 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.

5. In view of the above decision of the Division Bench of this Court, the learned counsel appearing for the State submits that the present writ application may kindly be dismissed.



6. The aforesaid decision of the Division Bench of this Court is binding, and therefore, the present writ application is being dismissed in light of the same. However, if the petitioner so desires, he may submit his representation before the District Magistrate, Supaul for redressal of his grievance which shall be considered by the District Magistrate, Supaul and disposed of by passing a speaking and reasoned order.

7. With the aforesaid liberty granted to the petitioner, the present writ application is dismissed in light of the decision dated 23.02.2024 passed in C.W.J.C. No. 3280 of 2024.

(Alok Kumar Sinha, J)

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