

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6785 of 2025

1. Shailendra Kumar Son of Late Kamleshwari Prasad @ Kamleshwari Yadav, Resident of Village- Birgaon, Ward No. 03, Police Station- Gwalpara (Arrar O.P), District- Madhepura, at present posted as Sarpanch of Birgaon Chatra, District- Madhepura.
2. Uma Shankar Kumar, Son of Late Chinay Yadav, Resident of Village- Kalyanpatti, Police Station- Gwalpara, District- Madhepura.
3. Raj Kumar Raja Son of Late Jay Narayan Prasad Yadav, Resident of Village- Bargaon, Ward No. 3, Police Station- Gwalpara (Arrar O.P), District- Madhepura.
4. Jagdish Prasad Yadav Son of Late Raghuni Yadav, Resident of Village- Birgaon, Ward No. 03, Police Station- Gwalpara (Arrar O.P), District- Madhepura.
5. Krityanand Yadav Son of Late Maheshwari Yadav, Resident of Village- Birgaon, Ward No. 03, Police Station- Gwalpara (Arrar O.P), District- Madhepura.

... .. Petitioners

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department, Patna.
2. The Director, Panchayati Raj Department, Government of Bihar, Patna.
3. The Commissioner, Koshi Division, Saharsa.
4. The District Magistrate, Madhepura.
5. The Additional Collector, Madhepura.
6. The District Panchayat Raj Officer, Madhepura.
7. The Sub Divisional Officer, Udakishunganj, District- Madhepura.
8. Mr. Parmanand Pandit, the Block Development Officer, Gwalpara, District- Madhepura.
9. The Circle Officer, Gwalpara, District- Madhepura.
10. The Mukhiya, Gram Panchayat, Birgaon Chatra, District- Madhepura.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Choudhary, Sr. Advocate Mr. Uday Chand Prasad, Advocate Ms. Pooja Prasad, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 12-09-2025 In the instant petition, the petitioners had prayed
for the following relief(s) :

“(i) For issuance of writ in the nature of certiorari for quashing of order dated 08.03.2025 passed by Additional Collector, Madhepura whereby he has given recommendation for transfer of proposed land bearing Khata New 146, Khesra No. 197, Khatiyani Area 2 Acre 12 Decimal and proposed Area 41 Decimal 108 Sq. Kari situated at Mauza Chak Chatra Anchal Gwalpara, District-Madhepura for construction of Panchayat Sarkar Bhawan at Mauza Chak Chatra, Anchal-Gwalpara, District- Madhepura.

(ii) For issuance of writ in the nature of Mandamus commanding the Respondents to restrain them restrain from construction of Panchayat Sarkar Bhawan at Mauza Chak Chatra, Anchal- Gwalpara, District-Madhepura which is situated at remote area far away from proposed area and far away from Centre of the Panchayat and also it is flood affected area which is violation of Government circular dated 12.05.2021.

(iii) For issuance of writ in the



nature of Mandamus direction to concerned respondents to give approval for construction of Panchayat Sarkar Bhawan at Ward No. 3 of Gram Panchayat Birgaon Chatra, District- Madhepura which is very populated area and bounded from five Ward out of seven Wards and lies in the Centre of Gram Panchayat Chatra and fulfilled all criteria of the circular and it has sufficient land.

(iv) For issuance of writ, order direction save and except in accordance with law.”

2. Perusal of the representation, the petitioners are seeking *Panchayat Bhawan* to be constructed in particular plot or area. Citizens cannot decide *Panchayat Bhawan* is required to be constructed in which place or spot. On the other hand, State Government has evolved policy for the purpose of construction of *Panchayat Bhawan*. Therefore, the petitioners can seek only for construction of *Panchayat Bhawan* in the relevant *Panchayat*. If such application or representation is submitted to the concerned authority, the concerned authority is hereby requested to expedite the grievance of the petitioners to be demanded and filed.



3. With the above observation, petition stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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