

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9249 of 2025

1. Rajeshwar Prasad Singh S/o Late Dharamnath Singh, R/o Village Bahuara Patti, Post-Nagara, P.s.-Marhaurah, District-Saran, Chapra, Bihar, PIN-841442.
2. Umesh Singh, S/o Ramayan Singh, R/o Village Bin Bahuara, Post-Nagara, P.s.-Marhaurah, District-Saran, Chapra, Bihar, PIN-841442.
3. Balwant Kumar Singh, S/o Ramesh Singh, presently residing at Village Bahuara Patti, Post-Nagara, P.s.-Marhaurah, District-Saran, Chapra, Bihar, PIN-841442 residing also at House No. - 532, Gali Number-02 near Axis Bank ATM, Mamura, Sector 66 Noida, Gautam Budha Nagar, Uttar Pradesh-201301.
4. Vinod Kumar Singh, S/o Deo Kumar Singh, R/o Village Bahuara Patti, Near Shiv Mandir, Post-Nagara, P.s.-Marhaurah, District-Saran, Chapra, Bihar, PIN-841442.
5. Shyam Babu Singh, S/o Prabhunath Singh, R/o Village Bahuara Patti, Near Shiv Mandir, Post-Nagara, P.s.-Marhaurah, District-Saran, Chapra, Bihar, PIN-841442.
6. Sanjiv Kumar Singh, S/o Harinarayan Singh, R/o Village Bahuara Patti, Post-Nagara, P.s.-Marhaurah, District-Saran, Chapra, Bihar, PIN-841442.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Panchayati Raj, New Secretariat, Patna, Bihar-800001.
2. The Secretary, Rural Development Department, Government of Bihar, Patna-800001.
3. The District Magistrate, Saran, Chapra, Bihar 841301.
4. The Block Development Officer, Marhaurah, District-Saran, Chapra, Bihar 841418.
5. The Circle Officer, Marhaurah, District-Saran, Chapra, Bihar 841418.
6. The Sub Divisional Officer Marhaurah, District-Saran, Chapra, Bihar 841418.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prabhakar Nath Rai, Advocate
For the Respondent/s	:	Mr.P.K. Shahi, Advocate General
		Mr. Vikas Kumar, AC to AG

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



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 12-09-2025

In the instant petition, petitioners have prayed for the following relief(s):-

- “(I) For necessary direction upon the respondent authorities to stop constructions work of Panchayat Bhawan over a Pond bearing Khata No. 209 Khesra No. 394, Thana No. 13 admeasuring about 8 Kattha used for Chhath Puja, Irrigation and is also used by cattle for drinking water situated at Tola - Nanphar, Village Bind Bahuara, under Panchayat Bahuara Patti, Circle and Block Marhaurah, District - Saran, Chapra.*
- (II) For necessary direction upon the respondent authorities to construct Panchayat Bhawan building over the land of about 16 Kattha given through Daan Patra by villagers of resident of Bahuara Patti, Circle and Block Marhaurah, District Saran, Chapra*
- (III) For necessary direction upon the respondent authorities to restore the ponds upon which construction is going on in its original position.*
- (IV) For any other relief or reliefs to which the Petitioners are entitled in the facts and circumstances of the case.”*



2. Petitioners have failed to furnish necessary material to the extent that subject Panchayat Bhawan under construction/constructed is over the pond, to that extent they have not furnished any revenue records that the Panchayat Bhawan has been constructed/under construction over the pond.

3. On the other hand, in the counter affidavit on behalf of Respondent Nos. 3 and 5 in Para-6, it is stated as under:-

“6. That first of all it would be relevant to mention here that for construction of Panchayat Sarkar Bhawan land bearing Khata no.- 201, Plot no.- 394, area-00-04-06-05 which is Government land as its recorded in Khatiyani as Gairmajarua Malikan" and its nature is only recorded in Khatiyani as "Garhra" although its physical nature has been changed and in these days there is no existence of pond as stated by the petitioner, was identified by the Circle Officer, Marhaura, Saran. The Gram Sabha also recommended the same in the meeting which was held on 08.04.2025. The land having area of 00-01-01-05 of Khata no. 126, Plot no. 209 which is rayati in nature but the same was gifted by Yogendra Mahto. The description of this land with sketch map was sent to the District Panchayat Raj Officer, Saran by the Circle Officer, Marhaura vide letter No.- 459 dated 12.03.2024.”

4. The petitioners have not filed rejoinder by



furnishing necessary document to nullify the stand of the respondents.

5. Accordingly, the present petition stands dismissed.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	16.09.2025
Transmission Date	

