

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9119 of 2025

=====

Chhathu Paswan Son of Anup Paswan Resident of Village- Biraul, P.S.
Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
2. The Director, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Distirct Magistrate, Madhubani.
4. The District Panchayati Raj Officer, Madhubani.
5. The Sub-Divisional Officer, Sadar Madhubani.
6. The Block Panchayati Raj Officer, Khajauli, Madhubani.
7. The Circle Officer, Khajauli, P.S.-Khajauli, District- Madhubani.
8. The Executive Engineer, Divisional Works Organisation-1, Madhubani, P.S.- Madhubani, District-Madhubani.
9. Anil Kumar Jha Son of Ram Naresh Hga Resident of Village-Jaynagar, P.S.- Jaynagar District-Madhubani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha, Advocate
For the State	:	Mr.Government Advocate (10)
		Mr.Manoj Kr. Yadav, AC to GA-10

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 14-07-2025 Heard the parties.

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



“I. For issuance of an appropriate writ preferably in the nature of mandamus, commanding upon the respondent concern to construct Panchayat Sarkar Bhawan in Mahua Ekdara Gram Panchayat over C.S. Plot no.209 corresponding to R.S. Plot no.1326 situated in Mauja Biraul as per the decision of Gram Sabha and as per recommendation and sanction of competent authority.

II. To hold and declare that the construction of Panchayat Sarkar Bhawan of Gram Panchayat Biraul in village Chhaprahi on a private land is in violation of the Govt. Circulars issued by the Panchayat Raj Department, Bihar Patna as well as against the decision of learned Collector and Gram Sabha and construction should be stopped.

III. For a direction to the D.M. Madhubani to make an enquiry regarding the construction of Panchayat Bhawan in village Chhaprahi contrary to the decision of Aam Sabha and sanction of the District Magistrate and take necessary action against the erring persons. And for any other relief(s) for which petitioner is found to be entitled in the facts and circumstances of the case.”

3. In the matter of construction of Panchayat Sarkar Bhawan, the learned Division Bench of this Court vide



judgment and order dated 23.02.2024, passed in CWJC No.3280 of 2024 has held and observed as follows:

“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. In the light of the aforesaid observation of the learned Division Bench, this writ application is being disposed off as not maintainable because the matter relating to construction of Panchayat Sarkar Bhawan has been held to be within the exclusive jurisdiction of Gram Panchayat and a decision as to fix situs lies entirely within the domain of Panchayat concerned and the State Government and exclusive jurisdiction to make in this regard

5. Accordingly, the present writ application has been disposed off as not maintainable in light of the aforesaid



judgment of the learned Division Bench, however, the petitioner is at liberty to file a representation before the District Magistrate for redressal of his grievance, if so advised, within a period of two weeks from the date of production of a copy of this order.

(Alok Kumar Sinha, J)

Saurav/-

U			
---	--	--	--

