

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11153 of 2025

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Mohammad Akhtar Hussain Son of Late Mohammad Abus Shakur, Resident of Village- Nagdah Balain, P.S.- Arer, District- Madhubani, At present Mukhiya of Gram Panchayat Raj Nagdah Balain of Benipatti Block under Madhubani district.

... .. Petitioner/s

Versus

1. The State of Bihar through it Additional Chief Secretary of Panchayat Raj Department of Govt. of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Additional District Magistrate, Madhubani.
4. The In-charge Officer of District Revenue Branch, Madhubani.
5. The District Panchayat Raj Officer of Madhubani district, Madhubani.
6. The Sub-Divisional Officer of Benipatti, Sub-division under Madhubani district.
7. The Block Development Officer of Benipatti, block under Madhubani district.
8. The Circle Officer of Benipatti, Anchal under Madhubani district.
9. The Block Panchayat Raj Officer of Benipatti, block under Madhubani district.
10. The Panchayat Secretary of Gram Panchayat Raj Nagdah Balain of Benipatti, block under Madhubani district.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Jha
For the Respondent/s	:	Mr. Manindra Kishore Singh, Advocate
		Mr. Siyaram Pandey, Advocate
For the State	:	Mr. Prabhakar Jha, G.P.-27.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned counsel for the respondent-State.

2. This matter relates to construction of Panchayat Sarkar Bhawan.

3. Issue relating as to where the Panchayat Sarkar Bhawan should be constructed is no longer res integra. In the case of **Krishna Deo Kumar Vs. The State of Bihar** the Division



Bench by judgment dated 23.02.2024 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. In the light of the above observation of the Division Bench of this Court, this Court is constrained to dispose of the present writ application as not maintainable on account of the fact that where the Panchayat Sarkar Bhawan should be located and the matter relating to construction has been held to be within the exclusive jurisdiction of the Gram Panchayat and it lies entirely in the domain of Panchayat concerned and the State Government.

5. Accordingly, this writ application stands disposed of as not maintainable.

6. However, the petitioner is granted liberty to raise his grievance before the District Magistrate, Madhubani.

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(Alok Kumar Sinha, J)

