

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12895 of 2025

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Sudami Devi W/o Late Shyam Nandan Das, Resident of Village - Bataspur,
Police Station- Makhdumpur, District - Jehanabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The District Panchayati Raj Officer, Jehanabad.
5. The Block Development Officer, Makhdumpur, Jehanabad.
6. The Block Panchayati Raj Officer, Makhdumpur, Jehanabad.
7. The Junior Engineer/Technical Assistant, Makhdumpur, Phed (P.H.E.D.) Jehanabad.
8. The Panchayat Secretary, Gram Panchayat Kachnawan, Block- Makhdumpur, District- Jehanabad.
9. The Mukhiya, Gram Panchayat Kachnawan, Block- Makhdumpur, District- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Advocate
For the State	:	Mr. Raghwanand (GA-11)
		Mr. Sanjay Kr. Tiwari (AC to GA-11)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“1. For issuance of writ in the nature of
Certiorari or any other appropriate writ for
quashing of the order as contained in Memo
No. 895 dated 15.05.2025 passed by the*



District Magistrate, Jehanabad, whereby the representation of the petitioner has been rejected.

II. For issuance of writ in the nature of Mandamus or any other appropriate writ for commanding the respondents to make the payment of Rs. 7,39,800/- out of Rs. 17,78,800/- with statutory interest in favour of the petitioner as she has completed the works / construction of Rural Pipe water supply in Ward No. 8 Village Azad Bigha in Gram Panchayat Kachnawan under the Mukhya Mantri Gramin Payjal Nischay Yojana and accordingly, the M.B. has been made to the amount of Rs. 17,78,800/-. Out of which Rs. 8 lacs was already paid earlier to the petitioner and Rs. 2,39,000/- has also been paid vide Cheque No. 233215 dated 13.06.2025 issued by the Ward Member of concerned Gram Panchayat pursuant to Inquiry report.

III. For issuance of writ in the nature of Mandamus or any other appropriate writ commanding the respondents to produce the Measurement Book which has been made by the Technical Assistant / Junior Engineer with regard to Yojana No. 01/2020-21 Ward No. 8, Azad Bigha where the works / construction of Nal Jal and Pump House has been completed as the respondent authority particularly the respondent No. 7 has denied to issue the



measurement book (Annexure-4) before the District Magistrate, Jehanabad at the time of hearing.

IV. For issuance of any other writ, order or direction which your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner has earlier moved before this Hon'ble Court in C.W.J.C No.14999 of 2024 which was disposed of *vide* order dated 30.09.2024 granting liberty to the petitioner to approach the concerned respondent for her claim with regard to the payment of the work which she has already been done. Counsel submits that in light of the observation made by this Hon'ble Court in C.W.J.C. No.14999 of 2024, petitioner has filed representation in which a reasoned order has been passed. Counsel submits that the petitioner has filed the present writ petition being aggrieved with the said reasoned order which is contained in Memo No.895 dated 15.05.2025 (annexed as Annexure-11).

4. Learned counsel for the State submits that in the said reasoned order, claim of the petitioner has not been considered and not accepted due to non-acceptance of the



entries made in the measurement book by the concerned official.

5. After hearing the parties, it transpires to this Court that presently, the disputed question of fact has come before this Hon’ble Court and it is well settled that the disputed question of fact cannot be decided before this Court. Hence, this writ petition stands disposed off granting liberty to the petitioner to challenge the said order before the competent Civil Court within six weeks.

(Dr. Anshuman, J)

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