

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6106 of 2026

Ramdev Singh, Son of Late Hitlal Singh, Resident of Village Kehnichak,
Gram Panchayat-Karsoap, P.S-Shambhuganj, Anchal and Block-
Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
2. District Magistrate, Banka.
3. District Panchayat Raj Officer, Banka.
4. Sub Divisional Officer Banka, District- Banka.
5. Block Development Officer, Block- Shambhuganj, District- Banka.
6. Block Panchayat Raj Officer, Block- Shambhuganj, District- Banka
7. The Circle Officer, Circle Office- Shambhuganj, District-Banka.
8. Halka Karmchari, Circle Office- Shambhuganj, District-Banka.
9. Officer in Charge, Shambhuganj Police Station, District-Banka.
10. Mukhiya, Gram Panchayat- Karsoap Panchayat, Block-Shambhuganj, District- Banka.
11. Panchayat Sachiv, Gram Panchayat- Karsoap Panchayat, Block- Shambhuganj, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Adv.
For the Respondent/s : Mr. Government Advocate (5)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the parties.

2. This writ application has been filed for the following reliefs:-

(i) For issuance of a writ in the nature of prohibition or any other appropriate writ, order or direction to the respondents restraining them from making illegal construction of Panchayat Sarkar Bhawan of Karsoap Gram Panchayat in the Shambhuganj Block, District- Banka at an inappropriate and wrong place at Village Kehnichak when the lands selected for construction



is mentioned as "गैर माजरुआ मजकुर" bearing Mauza- Rutpaye, Thana no 48, Khata No. 120, Khesra No. 41, an area of about-21.8 decimal which admittedly belongs and in possession of the petitioner, over which an old mango orchard existed for about 70-80 years (planted by the father of the petitioner and this petitioner) violating all the laws and rules of Bihar Panchayat Raj Act and the order/direction of the Principal Secretary, Department of Panchayati Raj, government of Bihar issued on 26.02.2019 vide memo no 2P/Pa So, Bha-09-10/2017/1436 Panchayat Raj, Patna.

Thus violating all command of laws and rules of Bihar Panchayat Raj Act and instruction of Principal Secretary, Panchayati Raj department, the respondents are going to construct the Panchayat Sarkar Bhawan as per their own suitability and choice, for their own benefit with obvious reasons, at the behest of Mukhiya of the Gram Panchayat, who became instrumental in this illegal act and in most arbitrary manner when the petitioner never came to know that any proposal for construction of Panchayat Sarkar Bhawan is passed by the Gram Panchayat Aam Sabha over the petitioner's land.

(ii) For issuance of writ in the nature of mandamus commanding the respondents to immediately stop the construction of Panchayat Sarkar Bhawan, if undertaken without clarifying the fact that whether the lands belongs to Bihar



Sarkar or not and under whose direction, 5 Big Mango trees of about 70-80 years old have been cut down which caused loss of Rs 2 ½ Lakh per tree as per current market value.

3. Learned counsel for the petitioner submits that the land in question has been settled in favour of the ancestor of the petitioner bearing Khata No. 120, Plot No. 41, Area 21.8 decimals, Mauza-Rutpaye, Thana No. 48, District-Banka. Accordingly, the name of the ancestor was mutated and Jamabandi No. 132 was created in the name of his father. Since then, the petitioner is coming in peaceful possession of the aforesaid land. It is further submitted that Circle Officer and Block Officer, Shambhuganj came with labour and J.C.B. and started cutting mango trees from the orchard. Soon thereafter, the petitioner approached and filed a detailed application before the Circle Officer, Shambhuganj and the Officer Incharge of Shambhuganj Police Station on 12.02.2026. However, no action was taken by the Circle Officer as well as the Officer Incharge, whereafter, he filed a detailed representation before the District Magistrate-cum-Collector, Banka on 28.02.2026. The learned District Magistrate-cum-Collector, Banka has not responded and sitting tight over the matter.

4. Learned counsel for the petitioner prays that a



direction may be given to the District Magistrate-cum-Collector, Banka to inquire into the matter and dispose of the said representation dated 28.02.2026 within a reasonable time. It is also further prayed that a liberty may be given to the petitioner to file fresh representation alongwith supporting documents before the District Magistrate-cum-Collector, Banka so that a reasoned order may be passed by the Collector.

5. Learned counsel for the State also submits that the writ application may be disposed of with a direction to the District Magistrate-cum-Collector, Banka to dispose of the representation dated 28.02.2026 filed by the petitioner.

6. Considering the aforesaid facts and submissions made by the parties in the writ application, the District Magistrate-cum-Collector, Banka is directed to dispose of the fresh representation alongwith supporting documents to be filed by the petitioner as well as the representation of the petitioner dated 28.02.2026, preferably, within a period of three months from the date of receipt/production of the copy of this order.

(Khatim Reza, J)

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