

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5314 of 2025

1. Animesh Kumar Son of Arbind Chandra Ghosh, Resident of Village- Tagepur, Police Station- Jagdishpur, Anchal- Jagdishpur, District- Bhagalpur.
2. Raj Kumar Sah Son of Dhruvi Prasad Sah, Resident of Village- Tagepur, Police Station- Jagdishpur, Anchal- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Panchayati Raj Department, Bihar, Patna.
2. The Director, Bihar Panchayati Raj, Bihar, Patna.
3. The District Magistrate-cum-Collector, Bhagalpur.
4. The District Panchayati Raj Officer, Bhagalpur.
5. The Sub Divisional Officer, Jagdishpur, District- Bhagalpur.
6. The Block Development Officer, Block- Jagdishpur, District- Bhagalpur.
7. The Panchayat Secretary, Panchayat- Chandpur, Anchal- Jagdishpur, District- Bhagalpur.
8. Archana Kumari Wife of Shatrughan Kumar, Resident of Village- Mohiddinpur, Panchayat- Chandpura, Anchal- Jagdishpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.
For the Respondent/s : Mr. Vikash Kumar, AC to AG

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 25-07-2025

The present petition under Article 226 of the Constitution of India has been filed by the petitioners which is in the nature of a Public Interest Litigation.

2. The petitioners have mainly prayed that respondent no. 3 be directed not to construct the Panchayat Bhawan at the



Panchayat village i.e. head village of Panchayat, namely, Chandpur Panchayat within the Jagidshpur Block, District – Bhagalpur as earlier there was proposal for construction of Panchayat Sarkar Bhawan at Panchayat – Chandpur, Mauza – Chandpur, Thana No. 264, Khata No. 369, Khesra No. 796, area 50 decimal of land.

3. Heard Mr. Pankaj Kumar Sinha, learned counsel for the petitioners and Mr. Vikas Kumar, AC to Advocate General, for the State.

4. Learned counsel for the petitioners referred the averments made in the memo of petition and submitted that the respondent State has decided by way of policy decision for welfare of people in every panchayat of the State to construct the Panchayat Sarkar Bhawan and accordingly so far as the construction of Panchayat Sarkar Bhawan in the Panchayat Raj, Chandpur, Anchal – Jagdishpur, District – Bhagalpur is concerned, respondent no. 5 has sent a proposal to respondent no. 3. However, the said proposal was sent without spot verification and in absence of people of Chandpur Panchayat. At this stage, learned counsel for the petitioner submits that the land is already available at Panchayat Raj Village – Chandpur, despite which respondent no. 8/Mukhiya in collusion with



respondent no. 5 wanted to change the place of construction of Panchayat Raj Bhawan. It is further submitted that when the petitioners came to know about the said aspect, a representation has been made to the respondent authority, despite which, the concerned respondent has not decided the said representation. Learned counsel, therefore, urged that appropriate direction be issued to the respondent authorities.

5. On the other hand, the learned counsel for the State has opposed the present petition. Learned counsel has referred the counter affidavit filed on behalf of respondent nos. 3 to 6. Learned counsel for respondents would submit that the decision has been taken by the elected body to construct the Panchayat Sarkar Bhawan at the place in question and the construction work has also started at the said place. However, the concerned respondent authority will decide the aforesaid representation of the petitioners.

6. At this stage, it has been submitted that though the petitioners have filed a representation, which is at page no. 29 of the petition but the same has not been received by respondent no. 3/District Magistrate, Bhojpur and, therefore, the petitioners will submit another representation within a period of two weeks from today.



7. We have considered the submissions canvassed by the learned counsel for the parties. We have also perused the materials placed on record. Looking to the facts and circumstances of the present case, we are of the view that if the petitioners submit a representation within a period of two weeks from today before the concerned respondent authority, the concerned respondent authority shall decide the same in accordance with law within a period of four weeks from the date of receipt of such representation.

8. It is clarified that we have not examined the case of the petitioners on merits.

9. The petition stands disposed of accordingly.

(Vipul M. Pancholi, CJ)

(Partha Sarthy, J)

Sanjay/-sunil/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.07.2025
Transmission Date	N/A

