

(2002) 01 PAT CK 0072
In the Patna High Court
Case No : C.W.J.C. No. 11575 of 2000

Ramanuj Paswan and Others

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 29-01-2002

Acts Referred:

Citation : (2002) 01 PAT CK 0072

Hon'ble Judges : Ravi S. Dhavan, C.J.; Shashank Kr. Singh, J

Bench : Division Bench

Advocate : Shashi Shekhar Dwivedi, for the Appellant; S.D. Yadav, for the Respondent

Judgement

1. This is a Public Interest Litigation which was filed in the year 2000. Since then and as of date a change has taken place in rural Bihar. Now the Panchayats are functioning.

2. The Court is not recording any aspect of the merits of the petition so that there is no misunderstanding that any vested interest in the villagers, in context, may be a subject matter for consideration under a camouflage. But, it cannot be denied that these are matters relating to villages of Bihar and they cannot escape a discussion at the Panchayat whether it is a matter relating to maintenance of records or any matter which is relating to" and/or may be a subject matter of Standing Committee which a Gram Panchayat is in a position to deal with. In the circumstances, it will only be appropriate that if any person finds himself aggrieved in a matter which is local to the Panchayat, this matter may be taken up there.

3. The Court is not passing any remarks on the counter affidavit which has been filed by one Assistant Settlement Officer, Mokama Camp, District Patna, Respondent No. 4 but one thing needs to be noticed from the counter affidavit that this Respondent is not conscious of the fact that any matters whether rural and particularly of villages, the Panchayat has a say on the subjects which have

been identified in the XIth Schedule to the Constitution and otherwise are referred to as it is in the Bihar Rajya Panchayat Raj Act, 1993.

4. In the circumstances, if these subject matters be matters for Panchayat then it will only be appropriate for the Court to permit a preliminary discussions in the context of today.

5. With the aforesaid observation, the matters are consigned.