



IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1228 of 2023

In

Civil Writ Jurisdiction Case No.3474 of 2023

Dinbandhu Pandey Son of Late Vidya Pandey, Resident of Raxaul, Ward No.
18, P.S. Raxaul District- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Deputy Secretary, Revenue and Land Reforms Department, Bihar, Patna.
4. The Chairman, The Bihar State Finance Commission, Patna.
5. The Commissioner, Tirhut Division, Muzaffarpur.
6. The District Magistrate, East Champaran at Motihari.
7. The Deputy Development Commissioner, East Champaran at Motihari.
8. The Sub Divisional Officer, Dhaka, East Champaran at Motihari.
9. Sri Uday Shankar Mishra, the then Anchaladhikari, Ghorasan Anchal, East Champaran.
10. Sri Anil Kmar Srivastava, the Then Anchaladhikari Ghorasan Anchal, East Champaran.
11. Sri Shivshankr Gupta, the then Anchaladhikari in Charge, Ghorasan Anchal, East Champaran.
12. Sri Alludin Ansari, the then Block Development Officer, Ghorasahan Block East Champaran.
13. Sri Ashok Kumar, the Block Development Officer, Ghorasahan Block East Champaran.
14. Sri Bindu Kumar, the present Anchaladhikari, Ghorasahan Block East Champaran.
15. Mukhiya, Gram Panchayat Raj, Barwa Kala, Ghorasahan Block East Champaran.
16. Panchayat Sachiv, Gram Panchayat Raj, Barwa Kala, Ghorasahan Block East Champaran.

... .. Respondent/s





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Appearance :

For the Appellant/s : Mr. Bishwajeet Kumar, Advocate
For the Respondent/s : Mr. Anjani Kumar, AAG-4

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 29-04-2026 The present intra court appeal has been filed against the order dated 03.10.2023 passed in CWJC No. 3474 of 2023, wherein the writ petitioner/appellant had sought the following reliefs:-

“1. That this is an application for issuance of an appropriate writ, order or direction, particularly in the nature of writ of Mandamus directing the Respondent nos. 1 to 8 to order for holding an independent enquiry by any independent and impartial agency with respect to the following illegality and irregularity misappropriation committed by the respondent nos.9 to 16-

(i) Illegal allotment of the land situated within premises of Ghorasahan Block for construction of building, and for the purpose, about 136 green trees of sisam, sagwan, mahogany were felled arbitrarily without holding auction, and thereby causing huge financial and revenue loss in crores to the government of Bihar ignoring availability of other government land for the purpose.

(ii) Misappropriation of government fund provided by the 15th Bihar Finance Commission for implementation of





different development schemes by the Mukhiya and Panchayat Sachiv of Panchayat Raj, Barwa Kala, Block-Ghorasahan, East Champaran.”

2. The writ Court, while disposing CWJC No. 3474 of 2023 vide order dated 03.10.2023 has observed as follows:-

“2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of his aforesaid grievances. Liberty so sought is granted.”

3. Upon hearing learned counsel for the parties and on perusal of the materials available on record, this Court finds that once the writ petition was not pressed by the writ petitioner and liberty was sought and granted to avail alternative remedies, the order passed by the learned writ Court does not suffer from any infirmity or perversity warranting interference in intra court appeal. It is well settled that when a party, on its own volition, chooses not to press a writ petition and seeks liberty, the Court merely records such submission and grants liberty without entering into merits of the case, and therefore, no grievance can be said to survive against such an order.

4. However, it is observed that in the event the appellant makes any representation before the competent





authority for redressal of the grievances, the concerned authority shall consider and dispose of the same in accordance with law, after affording due opportunity of hearing to the appellant, by passing a reasoned order preferably within a period of three months from the date of filing of such representation.

5. With the observation above, the present intra court appeal stands disposed of.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Shailendra Singh, J)

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