

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2625 of 2023

Petitioner :- Chandrabhan Singh Maurya

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Harindra Prasad, Sushil Kumar Maurya

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Ashutosh Srivastava, J.

Sri Harindra Prasad, learned counsel for the petitioner, learned Standing Counsel for respondent nos. 1 to 7 and Sri Bhupendra Kumar Tripathi, learned counsel for the respondent no. 8/Gram Sabha.

Grievance of the petitioner is that fair price shop being constructed in village Rampur Kalan, Tehsil - Chakiya, District - Chandauli is in violation of the G.O. dated 16.6.2023.

Sri A.K. Goyal, learned State counsel, on instructions, submits that the land where the construction is being proposed, has been donated by one Ajit Kumar Patel, as such, the State will not have any financial burden and resolution to this effect has been passed by the Gram Sabha. He further submits that provision of the Government Order has not been violated. Even otherwise, the decision, which has been taken by the State authorities, is a matter of policy decision, which cannot be interfered by this Court in exercise of power under Article 226 of the Constitution of India.

In view of above, the petition is dismissed.

Instructions produced by learned State Counsel is taken on record.

Order Date :- 9.11.2023

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(Ashutosh Srivastava, J.) (Pritinker Diwaker, CJ)