

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1293 of 2015

=====

Naresh Das, Son of Late Tiloki Das, Resident of Village - Singhnan, P.O. - Singhnan, P.S. - Rajoun, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Banka.
3. The District Panchayat Raj Officer, Banka.
4. The Circle Officer, Rajoun, District - Banka.
5. The Block Development Officer, Rajoun, District - Banka.
6. The Mukhia, Gram Panchayat Singhnan, Block - Rajoun, District - Banka.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Advocate
Mr. Chandra Shekhar Sharma, Advocate

For the Respondent/s : Mr. Utsav Kumar, A.C. to G.A.-4

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-09-2016 Heard Mr. Dharendra Nath Jha, learned Counsel, appearing for the petitioner, and Mr. Utsav Kumar, learned A.C. to G.A.-4, appearing on behalf of the State-respondents.

With the help of this writ petition, made under Article 226 of the Constitution of India, in the form of Public Interest Litigation, the petitioner seeks direction to the respondents not to shift the present site of the construction, where it stands approved by the authority concerned.

The work to construct a Panchayat Bhawan is entirely

the function of the executive and there being no judicially determined parameters, this Court cannot invoke its extraordinary jurisdiction, under Article 226 of the Constitution of India, to issue direction of the nature, as has been sought for.

This writ petition is, therefore, closed with the liberty given to the petitioner to take recourse to the appropriate provision of law as may be permissible.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

PNM

U			
---	--	--	--