

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7766 of 2016

1. Raj Narayan Singh, son of Late Jagdeo Singh, resident of village- Rahimapur, P.s. Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Panchayat Secretary, Panchayati Raj, Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Vaishali at Hajipur.
6. The District Panchayati Raj Officer, Vaishali.
7. The Deputy Development Commissioner, Vaishali.
8. The Block Development Officer, Panchayat Raj Rahimapur, Vaishali.
9. The Mukhiya Gram Panchayat Raj, Rahimapur, Vaishali.
10. The Panchayat Secretary, Gram Panchayat Raj Rahimapur, Vaishali.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Respondent/s : Mr. S.D.Yadav, AAG IX

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-09-2016 Heard Mr. S.K.Singh, learned Counsel for the petitioner, and Mr. S.D.Yadav, learned Additional Advocate General No. IX, appearing for the State respondents.

Having regard to the nature of the grievances, which have been expressed in this writ petition, we are clearly of the view that this writ petition cannot be maintained, in the form of Public Interest Litigation, inasmuch as providing facilities, in Rahimapur

Panchayat, under the scheme of the Central Government, is essentially for the executive to decide and unless the decision is marred by ulterior motive, the decision cannot be interfered with.

In view of the above and in the interest of justice, this writ petition is disposed of with liberty given to the petitioner to take recourse to appropriate provision of law.

(I.A. Ansari,CJ)

(Anjana Mishra, J)

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