

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6758 of 2014

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Ramdeni Sharma Son Of Late Madho Sharma Resident Of Village -
Parsurampur, P.S. - Paliganj, District - Patna.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna
2. The Principal Secretary, Department Of Panchayati Raj, Government Of Bihar, Patna.
3. The Director, Department Of Panchayati Raj, Government Of Bihar, Patna.
4. The Collector, Patna.
5. The Executive Engineer, Panchayat Government Building Construction Works, Local Area Engineering Organization, Bihar, Patna.
6. The Assistant Engineer, Panchayat Government Building Construction Works, Local Area Engineering Organization, Bihar, Patna.
7. The Junior Engineer, Panchayat Government Building Construction Works, Local Area Engineering Organization, Bihar, Patna.
8. The Sub-Divisional Magistrate, Patna.
9. The Circle Officer, Paliganj Anchal, Patna.
10. The Panchayat Secretary, Gram Panchayat Raj Katka Paigambarpur, Paliganj, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. S.Raza Ahmad, A.A.G.-5

Mr. Md. Kamil Akhtar, A.C. to A.A.G.-5

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 17-10-2016 Heard Mr. Kumar for the petitioner and Mr. S. Raza Ahmad, A.A.G.-5 for the State. Counter affidavit (s) have been filed on behalf of the State.

Petitioner is raising a grievance against construction of Panchayat Sarkar Bhawan for the Katka Paigambarpur Gram Panchayat Raj at Katka. According to him, the construction of the Bhawan ought to have been made at the headquarter of the



Panchayat i.e. Parsurampur. Such construction of the Panchayat Sarkar Bhawan is made according to the policy decision of the government, copy whereof is enclosed as Annexure-G. It appears that for construction of Panchayat Sarkar Bhawan, 50 decimals of land is required and preference is to be given to government land. If need be, land can also be obtained by gift from individuals. Such Bhawan should be constructed in the headquarter of the Panchayat. Harping on this condition, the present writ petition has been filed. It is stated that if there is no sufficient land for construction of Panchayat Sarkar Bhawan, the petitioner is/was willing to donate the land. Taking this stand, the present writ petition is filed.

The respondents in the counter affidavits have stated that the Aam Sabha of the Gram Panchayat has resolved to construct the Panchayat Sarkar Bhawan at village Tola Katka which is part of the Gram Panchayat in question. Indisputably, the government found appropriate government land for the said construction. Relying on judgments of this Court (Annexure-E and F), it is submitted that a decision where to construct the Panchayat Bhawan would lie entirely within the administrative jurisdiction of the Panchayat. In the case at hand, the Aam Sabha of the Panchayat has resolved to construct the Panchayat Sarkar Bhawan

at Katka. The petitioner has not raised any grievance with regard to breach/violation of any statutory provision.

Where the Panchayat Sarkar Bhawan shall be constructed, in my opinion, is purely administrative decision regulated by the resolution of the State. In the backdrop of aforesaid, I am unable to find any merit in this writ application.

The writ application is dismissed.

(Kishore Kumar Mandal, J)

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