

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5901 of 2016

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Baleshwar Prasad Son of Late Dhanu Mahto resident of village - Tankupa, P.O. - Tankupa, P.S. Wazirganj District - Gaya. At present Adhyaksh Prakhand cum Circle Bachao Sangharsh Samiti, Tankupa, Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner, Gaya Division, Gaya.
3. The District Magistrate, Gaya, District - Gaya.
4. The Additional Collector, Gaya, District - Gaya.
5. The Circle Officer, Tankupa, District - Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bamdeo Pandey, Advocate
For the Respondent/s : Mr. Nadeem Seraj, GP 5 with
Mr. Shailesh Kumar, AC to GP 5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

Date: 08-11-2016

Heard learned counsel for the parties.

The petitioner, being the resident of village Tankupa, P.S. Wazirganj in the district of Gaya, claims to be the Adhyaksha of Prakhand-cum-Circle Bachao Sangharsh Samiti, Tankupa. He has filed the present petition by way of Public Interest Litigation, to direct the respondents not to shift the existing Block, Circle and other offices to a new location. The ground taken is that the new place, being close to a mountain range, is unsafe for public and other officials due to Naxal menace.

We are of the considered opinion, that such issue is best left to the State for taking an appropriate decision and the Court would, thus, not interfere in the matter. Moreover, the government offices being shifted to a new location at one place is sufficient indication that the officers would be performing their official duties and functions from the new location, which presupposes that security and other issues with regard to suitability of the location, have sufficiently been addressed.

In view of the aforesaid, no direction is required to be issued with regard to the prayer made in the writ petition, which, accordingly, stands dismissed.

(Hemant Gupta, ACJ)

(Ahsanuddin Amanullah, J)

Anjani/-

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