

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13866 of 2015

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Badri Narayan Sada, S/o Ghuran Sada Resident of Village Lalmaniya (Mushahari),
P.O. Lalpur, Via Nirmali, Block Marauna, District Supaul.

.... Petitioner

Versus

1. The State of Bihar through the Collector, District Supaul.
2. The Sub Divisional Officer, Nirmali, District Supaul.
3. The Deputy Collector, (Disaster Management), District Supaul.
4. The Block Development Officer, District Marauna, District Supaul.
5. The Circle Officer, Marauna, District Supaul.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate.
For the Respondent/s : Mr. Anil Kumar Sinha, GA-1.
Mr. Pawan Kumar, AC to GA-1.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 21-12-2016

The challenge in the present public interest litigation is to the construction of flood victims' shelter-cum-community hall on an area of 1.07 decimals falling within Mauza-Sarojabella, Block Marauna, Thana No. 110, District-Supaul ignoring the alleged public demand for construction of flood victims' shelter cum community hall within Ward No. 12/11 of the Mauza – Sarojabella Panchayat.

Whether the community hall is to be constructed on a particular portion of land is an administrative decision taken by the authorities examining the feasibility and usability of the place.

Merely because one piece of land is chosen for



construction of community hall, it cannot be said that such decision to be arbitrary subjecting it to judicial review. We do not find any merit in the present writ application and, accordingly, the same is dismissed.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	23.12.2016
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