

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6635 of 2017

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1. Madan Paswan Son of Late Buddhu Paswan, R/o Village- Gatehar, P.O.-
Badwa Dih, P.S.- Shivsagar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Science and Technology Department, Government of Bihar, Patna.
3. Principal Secretary, Building Construction Department, Government of Bihar, Patna.
4. Chief Engineer South, Building Construction Department, Government of Bihar, Patna.
5. Collector, Rohtas at Sasaram.
6. Executive Engineer, Building Construction Department, Building Division, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sharma, Advocate

For the Respondent/s : Mr. Pushkar Narain Shahi-AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-08-2017

In this Public Interest Litigation filed, grievance of the petitioner is that Government had selected a plot and a particular area for construction of an Engineering College in Sasaram known as “Sher Sah Engineering College, Sasaram” under Anchal Shivsagar which is adjacent to the town of Sasaram, but now the location of the college has been changed to Kargahar Block which is nothing but a *mala fide* action and the prayer made is that the college should be constructed in the original area for which sanctioned amount has also been paid.



Respondents have filed a detailed counter affidavit and it is stated that the Government of Bihar, in the Department of Science and Technology, has taken a decision in the matter of construction of the college for which tenders have already been issued and work order has been issued by the Executive Engineer, Building Division, Sasaram on 15.3.2017 and as the action is already taken, it is stated, now no indulgence should be made.

The question as to how and on what location a college should be constructed is a policy matter, executive in nature, which has to be considered and decided by the executive authorities and we see no reason to make indulgence into the matter in a Public Interest Litigation.

Accordingly, finding no case made out for any indulgence into the matter on the grounds canvassed, the application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	8.8.2017
Transmission Date	N/A

