

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20 of 2017

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1. Bidya Nand Mandal, S/o Sri Ayodhya Prasad Mandal, R/o Noongarha, P.S. Kadwa, District - Katihar
 2. Uttam Kumar Choudhary, S/o Late Rud Mohan Choudhary, R/o village - Mali Tola, P.S. Kadwa, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health and Welfare, Govt. of Bihar, New Secretariat, Patna
2. The Executive Director, State Health Society, Sheikhpura, Patna
3. The District Magistrate, Katihar
4. The Civil Surgeon Cum Chief Medical Officer, Katihar
5. The Managing Director, Bihar Medical Infrastructure Corp. Ltd. 5th Floor, Biscumuan Bhawan, 3rd Floor, Gandhi Maidan, Patna - 800001
6. The District Programme Manager near office of Civil Surgeon Cum Chief Medical officer, Katihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate
For the Respondent/s : Mr. S.D. Yadav- AAG-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 05-05-2017

In this writ petition filed in public interest, grievance of the petitioners is that a building of the Primary Health Centre already constructed in village Durgaganj under Mohammadpur Panchayat, P.S.+Block -Kadwa, district-Katihar is being demolished and, instead, a new building is being constructed.

Inter alia contending that shifting of the Primary Health Centre is not warranted and by making construction of a new



building, public fund would be wasted, this petition has been filed.

Taking note of the grievance of the petitioners, we are of the considered view that the question involved in the matter with regard to construction of a building and shifting of the Primary Health Centre are all administrative and executive actions taken by the administrative authorities within the realm of their policy making authority and a writ Court is not required to go into all these aspects and make indulgence in a petition under Article 226 of the Constitution, the grievance raised by the petitioners may be considered by the competent authority of the State Government and it would be for them to consider the grievance and take such steps as may be permissible in law.

In the present facts and circumstances, we are not inclined to interfere into the matter.

The petition is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.5.2017
Transmission Date	N/A

