

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13253 of 2017

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1. Indu Bhushan Pandey, S/o Late Braj Bhushan Pandey, R/o Village+P.O.- Malkauli (Pathkauli), P.S.- Bagaha, District- West Champaran.
 2. Upadhyay Sunil Kumar @ Upadhyay Sunil, S/o Late Umakant Upadhyay, R/o Village- Narayanpur, Ward No.6, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Law, Govt. of Bihar, Patna.
3. The Registrar General, Patna High Court, Patna.
4. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey
For the Respondent/s : Mr. P.K. Verma- Aag3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-05-2018

In the matter of establishment of a Revenue District for Sub Division of Bagaha, this Public Interest Litigation has been filed and from the counter affidavit filed by the respondents and the averments made from Paragraph 9 onwards we find that a committee of Secretaries was constituted. It conducted its deliberation on 08.02.2017 and the Committee did not recommend for constituting the area in question as a separate Revenue District and, accordingly, it is the case of the State Government that now no directions can be



issued in the matter.

In a Public Interest Litigation, exercising our limited jurisdiction under Article 226 of the Constitution, we cannot issue a mandamus to the State Government to create or constitute a separate Revenue District for the area in question. Creation of a Revenue District, feasibility for the same and various other factors connected thereto are matters purely within the executive, administrative and policy making domain of the State Government and a Writ Court is not expected to enter into this area of policy making or administrative action.

Accordingly, leaving it to the petitioner to take up the issue with the public representatives of the State Government and to ventilate their grievance before these authorities, we dispose of the writ petition.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	05.05.2018
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