

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3139 of 2018

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1. Anil Kumar, Son of Late Naresh Kumar, Resident of Mohalla-Kadamkuan, Gola Road, P.S.- Nawada, District- Nawada.
 2. Seema Roy, Wife of Sri Prasant Roy, Resident of Mohalla-Prasad Bigha, P.S.- Nawada Town, District- Nawada.
 3. Puja Kumari, Wife of Sri Dharmendra Yadav, Resident of Mohalla- Mangar Bigha, P.S.- Town Nawada, District- Nawada.
 4. Ranjit Kumar, Son of Sri Jamuna Sao, Resident of Mohalla- Gola Road, P.S.- Nawada Town, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Urban Development and Housing Department, New Secretariat, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The Collector, Nawada.
5. The Chairman, Nagar Parishad, Nawada.
6. The Executive Officer, Nagar Parishad, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-02-2018 This public interest litigation has been filed under Article 226 of the Constitution and grievance of the petitioner is that funds allotted to the Nagar Parishad, Nawada, for public amenities should be distributed equally or in the alternate more funds should be allotted to the petitioners' ward for carrying out various specific amenities matter. *Inter alia* contending that the funds received under the 14th Finance Commission should be directed to be distributed in the manner as prayed for in the writ



petition, this public interest writ petition has been filed.

The question with regard to distribution of funds, their utilization and the manner of their utilization are all policy matters decided by the Nagar Parishad in accordance to the requirement of the Statute by the statutory body constituted after discussion in the floor of the Parishad and, therefore, a Writ Court cannot issue any mandamus in the matter of distribution of the funds for various amenities. The relief claimed for by the writ petitioners in this writ petition cannot be a subject matter of consideration exercising our extra ordinary jurisdiction under Article 226 of the Constitution of India. The petitioners, if advised, may approach the Chief Executive Officer of the Parishad or the State Government with regard to their grievance and it is for these authorities to look into the same.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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