

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16801 of 2018

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Ravindra Kumar, Son of Late Ram Narain Singh, Resident of Village -
Dahiya, Police Station - Khirimor, District – Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Collector, Patna District Patna.
4. The District Panchayati Raj Officer, Patna.
5. The Circle Officer (Anchal Adhikari), Paliganj, District - Patna.
6. Ranjita Kumari, wife of Binod Kumar Mukhiya, Dahiya Gram Panchayat, Resident of Village - Gausganj, Police Station - Khirimor, District – Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Madan Prasad Singh No-2, Advocate
	:	Mr. Dharminder Kumar Raju, Advocate
For the Respondent/s	:	Mr. Ajay -GA-5
	:	Mr. Pratik Kumar Sinha, AC to GA-V

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

- 3 18-09-2018 1. By way of this writ petition, under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate writ/order directing the respondents to construct “Panchayat Sarkar Bhawan at Village Dahiya” which is the headquarter of “Dahiya Gram Panchayat.”



2. It is the case on behalf of the petitioner that as per the guidelines which is produced as Annexure-1, “Panchayat Sarkar Bhawan” is required to be constructed in the headquarter itself. It is submitted that in the present case, “Panchayat Sarkar Bhawan” is being constructed at the distance of 03 KM away from the Panchayat Headquarter.

3. Having heard learned counsel appearing on behalf of the respective parties and considering the guidelines produced as Annexure-1, upon which the reliance has been placed, the said guidelines are merely a guidelines and there may be a number of reasons for not constructing the “Panchayat Sarkar Bhawan” in the headquarter itself. The construction of “Panchayat Sarkar Bhawan” in the present case, which is being constructed at 03 KM away from the headquarter, cannot be said to be in any way illegal and/or *malafide* which calls for interference of this Court in exercise of the power under Article 226 of the Constitution of India. When conscious decision has been taken and there are no *malafide* alleged, we refuse to entertain the present writ petition, which is filed in the nature of Public Interest Litigation.

4. Under the circumstances and for the reasons stated above, the present petition stands dismissed.



5. In view of the dismissal of the main petition,
Interlocutory Application No.6847 of 2018 stands disposed of.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

Sunil/-s.shukla

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