

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6256 of 2018

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Dilip Kumar, S/o Late Satendra Yadav, Resident of Village Jharkaha, Ward No. 12, Grampanchayat- Maura Jharkaha, Police Station- Shakarpur, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Panchayati Raj, Patna.
2. The District Magistrate, Madhepura.
3. The Deputy Development Commissioner, Madhepura.
4. The Pachayati Raj Padadhikari, Madhepura.
5. The Sub Divisional officer, Madhepura.
6. The Circle Officer, Shankerpur Block, District- Madhepura.
7. The Block Development Officer, Shankerpur Block, District- Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Dhirendra Pratap Singh, Advocate
For the Respondent/s : Mr. Pushkar Narain Shahi-AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 09-07-2018

In the matter of construction of a Gram Panchayat building, the petitioner wants that looking to the convenience of all concerned, the building should be constructed in a particular



area and the proposal made for construction of the building at the present site is inconvenient to various individuals in the area and, therefore, the Public Interest Litigation has been filed making a prayer as to where and how a Gram Panchayat Bhawan is to be constructed.

The question of selecting a location for construction of Gram Panchayat Bhawan and various issues ancillary thereto are administrative and executive action of the State and the Statutory Authorities based on administrative consideration and policy decision and the Writ Court is not required to interfere into such matter in exercise of its extraordinary jurisdiction under Article 226 of the Constitution. If the petitioner feels that the construction is being made which is not feasible or is inconvenient to the public at large, the petitioner may represent to the competent authority of the State Government and it would be for the competent authority to evaluate the grievance of the petitioner in the backdrop of the administrative requirement, the policy of the Government and take decision. Granting liberty to the petitioner to take up the issue with the authorities of the State Government, we dispose of the matter as the question involved and the relief claimed is beyond the jurisdiction available to this Court under Article 226



of the Constitution of India.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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