

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23301 of 2019

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Meena Devi, wife of Sri Tarkeshwar Prasad, resident of Brahmpur, P.O. and P.S. Brahmpur, District Buxar at present resident of Mithila Colony, Nasriganj, P.S. Danapur, District Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and land Reforms Deptt. Govt. of Bihar Patna.
3. The District Magistrate, Buxar.
4. The Deputy Development Commissioner, Buxar.
5. The Sub-Divisional Officer, Buxar District Buxar.
6. The Circle Officer, Brahmpur Block, P.S. Brahmpur, District Buxar.
7. The District Board through its Chairman Buxar.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-11-2019 The petitioner is seeking a direction to the respondents of the present writ application restraining them from constructing a public toilet over Plot No. 1784.

It is the petitioner's case that the land in question is being used for passage by the local residents for several decades, which was never objected to by the Zila Parishad, to which the land belongs. At the same time, there is a statement made in paragraph 5 of the writ application that the Sub Divisional Officer, Buxar, had recommended to settle the land in favour of Late Braj Bhushan Sahu, ancestor of the petitioner in



1938.

What location is best suited for construction of public toilet is a decision, which can be taken by the local authorities/local administration. This Court is not required to interfere with such decision, which are purely administrative in nature, exercising power of judicial review.

Learned counsel appearing on behalf of the petitioner has submitted that there is another public land (Plot No. 1785), which has been encroached by private persons.

The petitioner shall be at liberty to point this out to the local authorities for removal of encroachment by making appropriate application.

This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

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