

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3282 of 2023

1. Naveen Kumar Ram Son of Ram Shreshtha Ram, Resident of Ward No. 12, Raipur, P.O. - Ujiarpur, P.S. - Ujiarpur, District - Samastipur.
2. Shobha Devi, Wife of Raj Kishor Paswan, Resident of Ward No. 9, Raipur, P.O. - Ujiarpur, P.S. - Ujiarpur, District - Samastipur.
3. Kaja Devi, Wife of Jogendra Sahni, Resident of Ward No. 10, Raipur, P.O. - Ujiarpur, P.S. - Ujiarpur, District - Samastipur.
4. Bhulli Devi, Wife of Surendra Sada, Resident of Ward No. 11, Raipur, P.O. - Ujiarpur, P.S. - Ujiarpur, District - Samastipur.
5. Rajeev Chudhary, Son of Ramakant Chaudhary, resident of Madhopur Ward No. - 14, Satanpur, Police Station - Ujiarpur, District - Samastipur.
6. Mukesh Kumar Rajak, Son of Shivnandan Baitha, Resident of Ward no. 13, Raipur, P.O. - Ujiarpur, P.S. - Ujiarpur, District - Samastipur.

... .. 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 District Magistrate cum Collector, District - Samastipur.
4. The Sub Divisional Officer, Dalsingsarai, District - Samastipur.
5. The Block Development Officer, Ujiarpur, District - Samastipur.
6. The Block Panchayati Raj Officer, Ujiarpur, District - Samastipur.
7. The Anchal Adhikari, Ujiarpur, District - Samastipur.
8. Anju Kumari, the Mukhiya, Gram Panchayat Raj, Raipur, Block - Ujiarpur, District - Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Jha, Advocate
For the Respondent/s : Mr. Ajay, GA-5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

3 07-04-2023

This writ petition has been filed as a Public Interest



Litigation (P.I.L.) for issuance of directions restraining the Authority from shifting the construction of Panchayat Sarkar Bhawan from one site to other by stating that earlier in 2021 the site for construction has been selected elsewhere.

It is the petitioners' case that the site earlier selected by them is more suitable for various reasons.

The averments in the writ petition discloses that all the petitioners were public representatives of the Gram Panchayat in question at the time the earlier site was selected in 2021. They have alleged that the Gram Sabha comprising of present members and *Mukhiya* have now initiated shifting of the proposed site for construction of the Panchayat Sarkar Bhawan to a place which is not suitable.

Whether the Panchayat Sarkar Bhawan is constructed at site A or B is an issue best left to the people's representatives in the local self government institutions as well as the local authorities to decide based on various factors/parameters. Such a decision is essentially a matter of policy.

This Court is, therefore, not inclined to exercise its discretionary jurisdiction in respect of such policy matters.



The writ petition is misconceived and is accordingly
dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

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