

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5474 of 2022**

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1. Ramanuj Singh S/o-Jageshwar Singh Resident of Village-Chhedi Singh, Tola, Athmalgola, P.S.-Athmalgola, District-Patna.
2. Md. Khalilullah Mansury S/o-Md. Alimuddin, Resident of Village-Mita Singh Tola, P.S.-Athmalgola, District-Patna.
3. Ramnaresh Prasad S/o-Rambilash Prasad Singh Resident of Village-Ganjpar Ram Nagar Karari, Athmalgola, P.S.-Athmalgola, District-Patna.
4. Nitesh Kumar S/O-Dineshwar Ray, Resident of Village-Ganjpar Ram Nagar Karari, Athmalgola, P.S.-Athmalgola, District-Patna.
5. Rana Pankaj Kumar S/o-Dineshwar Ray, Resident of Village-Ram Nagar Diyara, P.S.-Athmalgola, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
3. The principal Secrerary, the Department of Revenue and Land reforms, Government of Bihar, Patna.
4. The Principal Secreary, Department of Urban Development, Government of Bihar, Patna.
5. The principal Secretary, Panchayati Raj, Government of Bihar, Patna.
6. The District Magistrate, Patna.
7. Sub Divisional Officer, Barh, Patna.
8. The Circle Officer, Athmalgola, Patna.
9. The Block Development Officer, Athmalgola, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Vikram Singh, Advocate<br>Mr. Shailendra Kumar Singh, Advocate<br>Mr. Amit Ranjan, Advocate |
| For the Respondent/s | : | Mr. Vinay Kirti Singh (GA-2)<br>Mr. Binay Kumar Pandey, AC to GA-2                              |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL JUDGMENT**



**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 19-09-2023**

The writ petition is filed by the residents of Athamalgola, aggrieved by the shifting of the Block-Cum-Circle Office for the newly constituted block at Athmalgola. It is the contention of the petitioners that by order of Governor, a separate block by name of Athmalgola was taken out from Barh Block of Patna District. The Headquarter was also stated to be at Athmalgola, as is seen from Annexure-1. It is the submission of the petitioners that much deliberations occurred to establish the Block-Cum-Circle Office in Khata Nos. 133, 109 and 103, Khesra Nos. 57, 576, 580, 581 and 582. Without anything more, the construction was shifted to Khata No. 217, Khesra No. 1513 measuring 5 acre situated in Mauza-Karjan under Thana No. 101. It is the contention of the petitioner that the said shifting creates difficulties to the local residents and that the Member of the Legislative Council raised a question in the House; despite which the construction is proceeded with in the newly proposed location.

2. We are of the opinion that the construction of a Block-Cum-Circle Office will come within the exclusive policy domain of the Government. Two counter affidavits



have been filed by respondent Nos. 6-9, in which it is specifically stated that there is no violation of the notification dated 23.06.1993 and the construction is shifted for better facilities in the new location. It is on the proposal of the Circle Officer, Athmalgola, that the new location at Khata No. 217, Plot No. 513 having an extent of 5 acre situated in Mauza-Karjan under Thana No. 101, was identified for the proposed construction. The Collector and the Additional Collector had conducted spot inspection of the land and it was found that it is suitable for construction of the Block Office-cum-Circle Office-cum-Residential building of the new Block. It is also stated that the identified land is suitable for construction of the entire governmental facilities in the Block, being provided from one single premises. It is for public interest and to enhance the public convenience that the new land has been chosen.

3. We do not find any violation of the notification which separated the Athmalgola Block from the Barh Block. The counter affidavit also specifies that the entire governmental functions are to be carried out from the present premises and in such circumstances we find absolutely no reason to interfere with the policy decision of the



Government. The property has been located after detailed verification by the District Administration.

4. The writ petition would stand dismissed.

**(K. Vinod Chandran, CJ)**

**( Partha Sarthy, J)**

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| AFR/NAFR          | NAFR        |
| CAV DATE          |             |
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