

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9413 of 2021

1. Koteswar Nath Dham Trust through one of its Trustees, namely, Kishori Mohan Sharma, aged about 78 years, G (M), son of Late Kailash Sharma, resident of Village, P.O. and P.S. Main, District Gaya.
2. Manoj Sharma, son of Shri Ram Lakhan Sharma, resident of Village, P.O. and P.S. Main, District Gaya presently Mukhiya, Koriyawan Gram Panchayat, Block Belaganj, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya.
5. The Sub-Divisional Magistrate, Tekari Sub-Division, District Gaya.
6. The Hindu Religious Trust Board

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. P.K.Shahi, AG

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

8 07-04-2023 The writ application has been filed in the form of Public Interest Litigation (PIL) for directing the authorities for constituting a Block. The pleadings in the writ proceedings discloses that the creation of Block within the District of Gaya is sought on account of existence of an ancient temple.

Counter-affidavit filed on behalf of the District



Magistrate has taken a plea that creation of any Block/Thana/Subdivision/District is dependent upon various factors including population, distance from headquarter, number of panchayat, etc., and a host of other factors, being essentially a matter of executive policy.

Learned counsel for the petitioner, being faced with such plea raised by the Authorities, wants to withdraw the writ petition with liberty to pursue the matter before the executive authorities.

The writ petition is accordingly dismissed as withdrawn.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

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