

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16694 of 2022**

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Sadan Prasad Singh, son of Shri Ramji Prasad Singh, resident of village Sonchari, P.S. Parwalpur, District Nalanda (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
5. The Divisional Commissioner, Patna.
6. The Dy. General Manager (DGM-Project), Bihar Medical Services and Infrastructure Corporation Ltd. 4th Floor Bihar State Building Construction Corp Ltd. Hospital Road, Shashtri Nagar, Patna.
7. The District Magistrate cum Collector, Nalanda.
8. The Civil Surgeon cum Chief Medical Officer, Nalanda.
9. The Sub-Divisional Officer, Biharsarif, District Nalanda.
10. The Dy. Collector (Land Reforms), Biharsarif, District Nalanda.
11. The Circle Officer, Parwalpur, District Nalanda.
12. M/s Prasad Construction and Co. Lila Mohan Niwas, Naisarai, Biharsharif, District Nalanda (Bihar).

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | None                  |
| For the Respondent/s | : | Mr.S. D. Yadav, AAG-9 |

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

**Date : 08-08-2023**

None appeared for the petitioner when the matter was called up in the morning and then kept aside and taken up for hearing.

2. We perused the records and heard the learned



Government Pleader.

3. The grievance ventilated in the Public Interest Litigation is the stoppage of the construction work of Community Health Center at village Sonchari, P.S.-Parvalpur, District-Nalanda.

4. The 6<sup>th</sup> respondent has filed a counter affidavit indicating that the corporation being the implementing agency has floated a tender and upon execution of agreement with the private Respondent No. 12, work order has already been issued.

5. The District Magistrate of Nalanda, the 7<sup>th</sup> respondent has also filed a counter affidavit. It is stated that after following the norms, a site was approved and the work of construction had started, which was objected by the local residents alleging that the proposed site is at a distance of 6 kilometers from the block headquarters; thus making it inaccessible to the persons living within the block headquarters.

6. On the writ petition being filed pursuant to order dated 02.12.2022, a four member enquiry team led by the S.D.O, Hilsa and comprised of the Civil Surgeon-cum-Chief Medical Officer, Nalanda, D.C.L.R, Hilsa and Executive Engineer, Nalanda Building Division, Biharsharif was constituted, as is evident from Annexure-8. An enquiry report



was submitted by S.D.O, Hilsa which is dated 02.05.2023. As per the enquiry report, a separate site was identified in which a guest house and primary health center is already in existence. There was sufficient land for the construction to be carried out which would also amount to upgradation of the Primary Health Center, Parvalpur. The Additional Collector-cum-Chief Executive Officer, Zila Parishad Nalanda has given his consent for inter-departmental transfer of part of the land now identified. The aforesaid site is also acceptable to the local residents.

7. The grievance of the petitioner seems to be mitigated, as is the protest raised by the local residents against the construction of the Community Health Center, diffused.

8. The writ petition hence stands closed.

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

**( Partha Sarthy, J)**

Anushka/-

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