

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1224 of 2025

1. Punia Devi wife of Ramesar Choudhri, resident of Village-Ledha, Gram Panchayat-Ledha, Post- Lakhmohna, P.S.-Nemdarganj, Anchal-Akbarpur, District-Nawada
2. Surendra Prasad Yadav son of Bindeshwari Prasad Yadav resident of Village-Asma, Gram Panchayat-Ledha, Post-Lakhmohna, P.S.-Nemdarganj, Anchal- Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Dept. of Panchayati Raj, Bihar, Patna.
3. The Deputy Secretary, Panchayati Raj Department, Bihar, Patna.
4. The Divisional Commissioner, Magadh Division, Gaya.
5. The Collector-cum-District Magistrate, Nawada.
6. The Deputy Development Commissioner, Nawada.
7. The Executive Engineer, Building Division (Bhawan Pramandal), Nawada.
8. The District Panchayati Raj Officer, Nawada.
9. The Deputy Collector, Land Reforms, Rajauli, District-Nawada.
10. The Anchal Adhikari, Akbarpur, P.S.-Akbarpur, Distt.-Nawada.
11. Block Panchayati Raj Officer-cum-Executive Officer, Panchayat Samiti, Akbarpur, P.S.-Akbarpur, District-Nawada.
12. Mukhia, Ledha Gram Panchayat, P.S.-Nemdarganj, District- Nawada, namely, Smt. Sumiti Devi, wife of Suresh Rajbanshi, resident of Village-Chaprehat, P.S.-Nemdarganj, District-Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sidhendra Narayan Singh, Advocate Mr. Kumar Lalit, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, AG

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

Date : 25-04-2025

Heard the learned counsel for the parties.



2. The petitioners, who are the sitting elected Ward Members of Ledaha Gram Panchayat in the district of Nawada, have approached this Court in Public Interest against the decision of the respondents in constructing the Panchayat Sarkar Bhawan of Ledaha Gram Panchayat at village Chaprehat in place of Panchayat headquarters at Ledaha village, ignoring and violating specific Government guidelines as also for quashing the consequential re-inquiry report.

3. The writ petitioners insist for a direction for construction of the Panchayat Bhawan at the headquarter village Ledaha.

4. The land in question situated at Chaprehat was selected by the respondents for the construction of the Panchayat Sarkar Bhawan after it was found that no suitable land was available for construction of the said building in Ledaha village in terms of the departmental guidelines. The guidelines indicate that in the event of unavailability of suitable land in the headquarter village/Mauza of the concerned Gram Panchayat, suitable land of other Mauza/revenue village could be selected for the construction



of Panchayat Sarkar Bhawan.

5. An agency has been appointed by the respondents for construction of the building. The work is under progress. The building is completed till the plinth level up till now. It has been submitted on behalf of the respondents that Rs. 45 lakhs has already been spent in the said construction.

6. It further appears from the records that on the complaint/objection of the villagers of Ledaha, several inquiries were made by the respondents/authorities and the plot which was requested to be utilized were not found to be suitable for construction of the Panchayat Bhawan as the dimensions of the plots suggested, are not at par with the guidelines.

7. The learned AG appearing for the respondents submitted that a Bench of this Court in C.W.J.C. No. 8361 of 2023 has held *vide* judgment dated 20.06.2023 that the decision with respect to construction of Government buildings like Panchayat Sarkar Bhawan etc., which is carried out in the furtherance of the policy decision of the State



Government cannot be the subject matter of Public Interest Litigation.

8. The construction of Panchayat Bhawan is within the exclusive jurisdiction of Gram Panchayat and the decision as to the situs lies entirely in the domain of the Panchayats.

9. The petitioners have not been able to show any violation of the guidelines except that the petitioners are ready to give their land free of cost which could be assessed by the authorities and if those plots suggested by the petitioners are found to be suitable, the construction of the Panchayat Bhawan should be on such land in the headquarters village of the Panchayat.

10. The contention of the petitioners that the Mukhiya of the village has taken the other members of the Gram Panchayat in collusion could not be proved.

11. The claim of the petitioners appear to be agenda-driven, pandering to the vested interest in the matter.

12. The inquiry report clearly reveals that there is no suitable land available in the headquarter village of



Ledaha.

13. For the aforementioned reasons, we do not deem it appropriate to interfere in such matter.

14. The petition is wholly without merits and is dismissed.

15. Interlocutory application/s, if any, also stand disposed off accordingly.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

krishna/saurav

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.05.2025
Transmission Date	

