

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3127 of 2025

1. Mahima Singh W/o- Ramesh Kumar Singh, Resident of Vill and P.O.- Maheshdih, P.S.- Nemdarganj, Dist- Nawada, Bihar.
2. Manti Devi W/o- Rajendra Prasad Singh, Resident of Vill and P.O.- Maheshdih, P.S.- Nemdarganj, Dist- Nawada, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department, Government of Bihar, Vikash Bhawan, Bailey Road, Patna, Bihar-800015.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Vikash Bhawan, Bailey Road, Patna, Bihar-800015.
3. The Building Construction Department, through Principal Secretary, Building Construction Department, Government of Bihar, Visheswariya Bhawan, Patna, Bihar- 800015.
4. The Principal Secretary, Building Construction Department, Government of Bihar, Visheswariya Bhawan, Patna, Bihar- 800015.
5. The District Magistrate, Nawada, Bihar.
6. The District Panchayati Raj Officer, District- Nawada, Bihar.
7. The Deputy Development Commissioner, Dist- Nawada, Bihar.
8. The Deputy Collector Land Reforms, Rajauli Sub-Division, Dist- Nawada, Bihar.
9. Sub-Divisional Officer, Rajauli Sub-Division, Dist- Nawada.
10. Block Panchayat Raj Officer-cum-Executive Officer (Panchayat Samiti), Akbarpur, Dist- Nawada.
11. The Circle Officer-cum-Block Panchayati Raj Officer, Akbarpur Block, Dist- Nawada, Bihar.
12. The Gram Panchayat Ledha, under Block Akbarpur, Dist- Nawada, through its Panchayat Secretary.
13. The Panchayat Secretary, Gram Panchayat Ledha, Block Akbarpur, Dist- Nawada, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Mr. Kundan Kumar Ojha, Advocates
For the State	:	Mr. Anwar Karim, AC to GP-10

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 20-02-2025



Heard learned counsel for the petitioners and learned counsel for the State.

2. The present writ petition has been filed for the following reliefs :-

- “(i) That an appropriate writ/s order/s, order/s in the nature of Certiorari be issued to quash the letter no.-2482 dated 26/12/2024 (Annexure-P/14) and Letter No.-1209, dated 23/12/2024 (Annexure-P/13), which has been issued upon representations of the petitioner made pursuant to order dated 05/12/2024 of this Hon'ble Court, passed in C.W.J.C. No.-18515 of 2024, consequently, recommended to construct the Panchayat Sarkar Bhawan at earlier selected land i.e. Khata No. 123, Plot no.-316 situated under Chaprehat Mauja of Ledha Gram Panchayat under Akbarpur Block, Dist-Nawada; against the guideline.*
- (ii) That an appropriate writ/s, order/s, direction/s in the nature of Mandamus be issued, commanding the respondents to restrain them from constructing the Panchayat Sarkar Bhawan, over Khata No. 123, Plot No. 316 situated under Chaprehat Mauja of Ledha Gram Panchayat under Akbarpur Block, Dist-Nawada.*
- (iii) That an appropriate writ/s, order/s direction/s in the nature of mandamus be issued directing concerned respondent to call for a Aam Sabha of the Panchayat under the supervision and presence of any higher official, for the purpose of selecting suitable land in*



order to construct the Panchayat Sarkar Bhawan within the territory of the Panchayat in question, as there was no Aam Sabha was called for the purpose of selection of land as claimed by the respondent authority and any Aam Sabha claimed to have been called for is manipulated one.

(iv) That an appropriate writ/s, order/s, direction/s in the nature of Mandamus be issued directing respondent authorities to construct the Panchayat Sarkar Bhawan over the land situated at Village Maheshdih; with respect to which the Sub-Division Officer Rajauli (Respondent no.-09) upon considering the representation of the local residents, had called for a inspection report after cancelling the earlier proposal of construction of Panchayat Sarkar Bhawan vide his letter no.-2463 dated 27/09/2023 (Annexure-P/5).

(v) Any other relief/reliefs petitioner found entitled in law, be granted to him.”

3. Learned counsel for the petitioners submits that other persons for the same relief in C.W.J.C. No. 18515 of 2024 have approached this Court but the same was disposed of vide order dated 05.12.2024 with a direction to the District Magistrate, Nawada to dispose of all the pending representations of the petitioner, as early as possible. It appears that the petitioners have approached this Hon'ble Court for the same relief and apart from that the Division Bench of this Hon'ble Court has dismissed the



writ petition of the petitioners namely, Naveen Kumar Ram & Others, vide order dated 07.04.2023 passed in C.W.J.C. No. 3282 of 2023, which is quoted hereinbelow:-

“ 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.”

4. In view of the averments made in the aforesaid case, no case is made out for interference in the matter. It is, accordingly, dismissed.

(Rajesh Kumar Verma, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	24.02.2025
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