

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3917 of 2025

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Amit Kumar Akela, Son of Bachcha Sahu, Residence of village- Bakuniya,
ward no.- 7, Police Station- Darhar, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
3. The Joint Secretary, Department of Planning and Development, Government of Bihar, Patna.
4. The District Magistrate, Saharsa.
5. The District Panchayat Officer, Saharsa.
6. The Divisional Officer, Saharsa.
7. The Deputy Collector, Land Reforms, Saharsa.
8. The Block Development Officer, Nawhatta, Saharsa.
9. Manju Devi, Mukhiya, Gram Panchayat Bakuniya, P.S.- Darhar, Distt.- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate
For the State : Mr. Vikas Kumar, AC to AG

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 20-11-2025 Heard learned counsel for the parties.

2. Following reliefs are sought for in the present writ
application:-

“That this writ application by way of Public interest
litigation is being filed for issuance of an appropriate
writ/writs, preferably in the nature of mandamus,
commanding and directing the Respondent concerned to



construct the panchayat Bhawan in revenue village Bakuniya according to the Govt. letter dated 21.04.2015 containing in memo no. 205 whereby and whereunder the present Mukhiya (Respondent no. 8) is ignoring the above proposal and getting the construct Panchayat Bhawan on her land for personal interest. And/or any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”

3. Considering the reliefs sought for, it is advisable that the local authority should take a decision in respect to the site selection and construction of the Panchayat Bhawan.

4. Whether the Panchayat Bhawan is constructed at site ‘A’ or ‘B’ is an issue best left to the people 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.

5. Further, a coordinate bench of this Court in CWJC No.8361 of 2023, has held that construction of government buildings like Panchayat Bhawan, etc is a matter of policy and cannot be subject to PIL. The relevant paragraph of the judgment is reproduced as under:

“6.....Further in the opinion of this Court, the decision with respect to construction of Government buildings like the Panchayat Sarkar Bhawan etc., which is carried out in the furtherance of the policy decision of the State Government cannot be a subject matter of public interest litigation.”



6. Since, a representation has already been made to Respondents No. 4 and 5, the Respondent No. 4 is directed to look into the matter and pass an appropriate order in accordance with the law.

7. The writ application is accordingly disposed of.

8. Pending application(s), if any, shall stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

Sujit/-

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