

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5109 of 2025

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1. Kouleshwar Yadav S/o Gulai Yadav, R/o Village Malin Bela, P.S. Lalmaniya, District-Madhubani.
 2. Nurool Hasan @ Md. Noorul Hasan, S/o Late Usman Rain, R/o Village Dubar Bona, P.S. Lalmaniya, District-Madhubani.
 3. Arjun Thakur, S/o Shri Manohar Thakur, R/o Ward No. 10, Village Malin Bela, P.S. Lalmaniya, District-Madhubani.
 4. Mahendra Kumar Bharti, S/o Indradev Yadav, R/o Village Malin Bela, P.S. Lalmaniya, District-Madhubani.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Development Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Darbhanga.
4. The Collector, Madhubani.
5. The District Panchayati Raj Officer, Madhubani.
6. The Block Development Officer, Khutouna, Madhubani.
7. The Circle Officer, Khutouna, Madhubani.

... .. Respondents

Appearance :

For the Petitioners : Mr. Jagannath Singh, Advocate
For the Respondents : Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 03-12-2025 In the present petition, the petitioners pray for the following relief(s):-

“For commanding the respondent authorities not to construct the Panchayat Sarkar Bhawan at the eastern side of village Belha on the embankment of river Kamla Balan where there



is no communication for coming and going and the place where the Panchayat Sarkar Bhawan has been started to be constructed is situated at far distance of the main road and is not convenient for the local people to attend the meeting specially the places which is not on the embankment of river Kamla Balan and therefore, all the previous Mukhiyas and the public representative and the public in general of Karmegh West have filed several applications offering the land for construction the Panchayat Sarkar Bhawan on the main road for which the public representatives have filed their application before the respondent authorities as early as on 27.12.2023 whereupon the District Panchayati Raj Officer directed the Block Development Officer/Circle Officer, Khutouna to submit a report in this regard after making a proper enquiry so that the matter may be reported to the District Collector by Memo No. 238 dated 18.01.2024 (Annexure - P/2) and also by letter dated 25.10.2024 but no action in this regard has been taken by the respondent authorities including the Block Development Officer/ Circle Officer (Respondent No. 6 & 7) and only inaction on the part of the Block Development Officer and Circle Officer the Panchayat Sarkar Bhawan is being allowed to be constructed at eastern side of village Belha on the embankment of river Kamla Balan where he has been no communication or approach road from the main road and hence this petition



by the residents of Karmegh West, Block Khutouna, District Madhubani including the Ex-Public representatives and the present representation as well.”

2. A counter affidavit has been filed on behalf of Respondent Nos.4 to 7. The following statements have been made in paragraphs 6 and 7 of the counter affidavit :-

“6. That at the outset it is humbly submitted that the construction of the Panchayat Sarkar Bhawan is a policy decision of the government and as such the same requires no interference by this Hon'ble Court.

7. That it is further relevant to state that the construction of the Panchayat Sarkar Bhawan has already commenced after following the due process for the construction such as selection of land, approval for transfer of land, transfer of land, tender for construction etc. Under the circumstances, the writ petition under reply is highly misconceived and fit to be dismissed in limine.”

3. Upon perusal of statements made in counter affidavit, it is evident that the construction in question has already been undertaken pursuant to due administrative procedures and forms part of a governmental policy decision. In such circumstances, we find no reason to pass any further order



in the present writ application.

4. Accordingly, the present writ application stands disposed of.

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

(Sudhir Singh, ACJ)

(Alok Kumar Pandey, J.)

Gaurav Kumar,
Alok/-

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