

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12813 of 2025

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Ajay Kumar Mishra S/O Raj Kumar Mishra, R/o- Village- Bhinagar, Ward
No. 03, P.O.- Biraul, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The Secretary, Panchayati Raj Department, Government of Bihar, Patna.
5. The Divisional Commissioner, Darbhanga Division, Darbhanga.
6. The District Magistrate, Madhubani.
7. The Sub Divisional Officer, Sadar, Madhubani.
8. The Rakesh Jha, Presently posted as District Panchayati Raj Officer, Madhubani.
9. The Circle Officer, Pandaul, District- Madhubani.
10. The Executive Engineer, Building Construction Department, Building Division, Madhubani.
11. Smt. Bibha Devi, W/o- Shaym Sundar Prasad, Village and P.O.- Biraul, P.S. Pandaul, District- Madhubani, 847236.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Ranjan, Advocate
For the Respondent/s	:	Mr. Government Advocate (09)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 18-08-2025

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

2. The present writ application has been filed
seeking, inter alia, quashing of the order dated 02.05.2025
passed by the Secretary, Panchayati Raj Department,
Government of Bihar, whereby the representation of the



petitioner has been rejected. The petitioner has further sought quashing of part of memo no. 169 dated 13.01.2025 issued by the District Magistrate, Madhubani, regarding construction of Panchayat Sarkar Bhawan over land situated in Mauza–Biraul, Khata Nos. 41 and 1, Khesra Nos. 1563 and 1565. Directions for construction of the Panchayat Sarkar Bhawan at an alternative site have also been prayed for.

3. The grievance of the petitioner is that the land identified for the construction of Panchayat Sarkar Bhawan falls within the boundary of Mata Durga Temple, and such selection is contrary to the guidelines issued by the Department vide letter no. 8354 dated 30.08.2022.

4. Per contra, learned counsel for the State submits that the matter relating to identification of land for construction of Panchayat Sarkar Bhawan has been duly considered at different levels of the competent authority, in accordance with the guidelines issued by the Department, and the decision taken does not suffer from any arbitrariness or illegality. It is submitted that all objections and representations filed by the petitioner and others were duly considered, and thereafter, a reasoned decision was taken by the authorities.

5. Having considered the rival submissions and on



perusal of the records, this Court finds that the order dated 02.05.2025 reflects due consideration of the representation filed on behalf of the petitioner. The authorities have assigned reasons for rejection of the claim of the petitioner, and this Court does not find any apparent illegality, arbitrariness, or perversity in the decision-making process warranting interference under Article 226 of the Constitution of India.

6. It is well settled that the scope of judicial review in such administrative decisions is limited. The Court does not sit in appeal over the decision of the competent authority unless it is shown to be arbitrary, mala fide, or in violation of statutory provisions. In the present case, no such infirmity is found.

7. Accordingly, this writ petition is dismissed.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	19/08/2025
Transmission Date	NA

