

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13117 of 2025

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1. Vinod Kumar Nirala Son of Hira Lal Ram, Resident of Village- Khanani Khurd, P.S. - Agiaon Bazar, District- Bhojpur (Arrah).
 2. Ram Avdhesh Ray, Son of Late Raghuvansh Ray Resident of Village- Domandihara, P.S.- Agiaon Bazar, District- Bhojpur (Arrah).
 3. Ram Kripal Singh, Son of Late Munshi Singh Resident of Village- Domandihara, P.S.- Agiaon Bazar, District- Bhojpur (Arrah).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
2. The Secretary Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
4. The Collector, Bhojpur (Arrah).
5. The District Panchayati Raj Officer, Bhojpur (Arrah).
6. The Sub-Divisional Officer, Sub-Division, Piro District Bhojpur (Arrah).
7. The Circle Officer, Circle Piro, District Bhojpur, Arrah.
8. The Executive Engineer, Local Region Engineering Organization Work Division- 02, Jagdispur, Bhojpur.
9. The Mukhiaya Khanani Kalan Panchayat Piro Block, P.S.- Piro, District Ara, Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Advocate
For the Respondent/s : Mr. Advocate General

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 31-10-2025 Following are the reliefs sought in the present writ application:-

“i) For direction/direction, order/orders and commanding the respondents to construct the Panchayat Bhawan in Khanani Kalan



Panchayat upon khata no. 217, khesra no. 337, area 61 decimal thana no. 30, Mauza Doman Dihra Block Piro District Bhojpur which was earlier selected for construction of Panchayat building accordingly tender was made and work started upon the said piece of the land.

(ii) For setting aside the letter no 829 dated 08.03.2025 issued by District Magistrate, Bhojpur Ara whereby the Collector, Ara has directed to Circle Officer Piru for transferring the land through new amendment proposal for construction of Khanani Kalan Panchayat Bhawan under Piru Block.

(iii) For disposal of the representation dated 24.03.2025 and 26.03.2025.

(iv) For grant of any other relief of reliefs for which the petitioner is entitled on grounds of facts as well as law both.”

2. 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.

3. Whether the Panchayat Bhawan is constructed at side ‘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.

4. 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.”

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

6. The writ application is accordingly disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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