

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13585 of 2025

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Raj Kumar Sah Son of Sri Rangelal Sah, Resident of Village-Chhajana,
Anchal-Ghoghardiha, O.P.-Narahia, P.S.-Lokahia, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate cum Collector, Madhubani.
4. The Additional District Magistrate, Madhubani.
5. The District Panchayati Raj Officer, Madhubani.
6. The Sub Divisional Officer, Phulparas, District-Madhubani.
7. The Land Reforms Deputy Collector, Phulparas, District-Madhubani.
8. The Prakhand Panchayati Raj Officer, Prakhand-Ghoghardiha, District-Madhubani.
9. The Block Development Officer, Ghoghardiha, District-Madhubani.
10. The Circle Officer, Ghoghardiha, District-Madhubani.
11. The Mukhiya, Gram Panchayat Raj Chhajana, Prakhand-Ghoghardiha, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dileep Kumar Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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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)

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

“(i) For issuance of an appropriate writ in the nature of mandamus directing the respondent authorities for selection of land of the Panchayat Government Building of



Panchayat Raj Chhajana, Prakhand Ghoghardiha, District - Madhubani according to Panchayat Government Building Construction Rules.

(ii) For issuance of an appropriate writ in the nature of mandamus directing the respondent authorities to construct the Panchayat Government Building of Panchayat Raj Chhajana, Prakhand Ghoghardiha, District Madhubani. according to Panchayat Government Building Construction Rules in Mauza Chhajana, Thana No. 96, Khata No. (Old) -371, Plot No. (Old)-3919, Area 4.23 decimal and nature of land is Parti.

(iii) For cancel the selection of land which is Pokhara Bhinda according to old Khatiyani, in village Bhaptiyaha, Thana No. 97, Khata No. (Old) 321, Plot No. (Old) 1628, for Panchayat Raj Chhajana, Prakhand Ghoghardiha, District -Madhubani, which is against the Panchayat Government Building Construction Rules.

(iv) To grant any other order relief / reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case.”

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 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 decision is essentially a matter of policy.

4. Further, a Coordinate Bench of this Court in C.W.J.C. 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 P.I.L. 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. The writ application is, accordingly, dismissed.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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