

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18035 of 2025

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Md. Nasir Rain S/o Abdul Sattar, R/o Village Andhra Tharhi, Ward No.4, P.S. Andhra Tharhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Chief Secretary, Bihar, Patna.
3. Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. Principal Secretary, Planning and Development Department, Patna.
5. Secretary, Building Construction Department, Government of Bihar, Patna.
6. Joint Secretary, Panchayati Raj Department, Government of Bihar, Patna.
7. District Magistrate, Madhubani.
8. District Panchayati Raj Officer, Madhubani.
9. Incharge Officer, District Revenue Section, Madhubani.
10. Anchal Adhikari, Block Andhra Tharhi, Madhubani.
11. Gram Panchayat Raj, Andhra Tharhi (South) Block Andhra Tharhi District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Uday Bhanu Roy, Advocate Mr. Baleshwar Kamat, Advocate Mr. Ankit Kumar, 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 14-11-2025 Following are the reliefs sought for in the present writ application:-

“1. That this Public Interest Litigation in being filed in the writ jurisdiction of the Hon'ble Court to issue on appropriate writ, order or direction



restraining the respondents from constructing Panchayat Sarkar Bhawan on the land of village Andhra Tharhi R.S. Khata No. 2834 R.S. Plot No. 2473 area 42 decimals herein after referred as land in question as it would not only be against the Resolution of the government contained in Memo No. 8354 dated 30.8.2022 issued under the signature of Principal Secretary, Panchayati Raj Deptt., Govt. of Bihar, but also against the interest of the public at large because the Said Panchayat Sarkar Bhawan will be constructed on a public road which has also been recorded as such in the Revisional/Survey khatian and/or for any other relief or reliefs to which the petitions in found fit and entitled in the facts and circumstances of the case.”

2. Considering the reliefs sought for, it is advisable that the concerned 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.

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

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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