

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18784 of 2025

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Vrijmohan Bhuiyan Son of Jagesar Bhuiyan, Resident of village Wakilganj,
P.S. Deo, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary Panchayati Raj Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
3. The District Magistrate Cum Collector, Aurangabad.
4. The District Panchayat Raj Officer, Aurangabad.
5. The Circle Officer, Deo, Aurangabad.
6. The Block Development Officer, Deo, Aurangabad.
7. The Block Panchayat Officer, Deo, Aurangabad.
8. The Mukhiya (East) Ketaki Gram Pachayat, Deo, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Respondent/s : Mr. P.K. Shahi, Advocate General

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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)

3 24-12-2025 The present writ application has been filed in the

form of a Public Interest Litigation (PIL) for the following
reliefs:-

*“That petitioner is invoking the extra
ordinary jurisdiction of the Hon'ble Court in
shape of Public Interest Litigation seeking
Hon'ble Court's indulgence for order/orders,
direction/directions to the respondent
authorities especially respondent no. 3 and 4 to*



follow the guideline contained in memo no. 8354 dated 30.08.2022 issued under the signature of respondent no. 1 whereby guideline/criteria for selection of land for construction of Panchayat Raj Bhawan have been circulated, but by flouting the said guideline, respondent authorities approved the land appertaining to Khata no. 1103, Plot no. 9136, Area 15.5 decimals, type of land- Rasta, plot no. 9133, Area- 6.5 decimal type of land- Bandh, Plot no. 8959 Area 11 decimals type of land- parti Kadim, Total Area- 33 decimals which is situated at Gram at village- Parariya, which is situated at West Ketaki Gram Panchayat and also not meet the requirement of notification/guideline issued by respondent no. 1 and at the same time as per guideline another piece of land at the headquarter of Gram panchayat Raj East Ketaki at Mauza Bhatkur, Khata no. 67, Plot no. 193, Area 3 Acre 47 decimals nature of land. Gair Majarua Aam which was duly inaugurated by Hon'ble Chief Minsiter for construction of Panchayat Raj Bhawan but said selection was dropped in the most unreasonable manner.

Petitioner further seeks Hon'ble Court's indulgence for a direction/directions, order/orders writ/writs to construct the Panchayat Sarkar Bhawan at Gram Panchayat Raj East Ketaki at village Bhatkur which is the headquarter of Gram Panchayat where plot no. 193 under Khata No. 67 Area 3 Acres 47



decimals is most suitable for construction and initially selected and inaugurated virtually through video conferencing by Hon'ble the Chief Minister in the presence of other dignitaries. Petitioner seeks any other relief/reliefs for which petitioner is found entitled in the eye of law and in the facts and circumstances of the present 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 Raj Bhawan.

3. Whether the Panchayat Raj 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. Since a representation has already been made before Respondent No. 3, the Respondent No. 3 is directed to consider the same and pass an appropriate order expeditiously, in accordance with law, after giving due opportunity of hearing to all the stakeholders.

6. With the aforesaid direction, the writ application is disposed of.

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

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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