

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8863 of 2026

Janak Kumar Yadav S/o Shyamlal Yadav, R/o Vill.- Sadhpur Balli, P.S.- Kopa,
Distt.-Saran at Chapra Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The District Education Officer, Saran, Chapra
4. The Sub-Divisional Officer (Sadar), Saran, Chapra.
5. The Block Development Officer, Jalalpur, Saran.
6. The Circle Officer, Jalalpur, Distt.-Saran.
7. The District Panchayat Raj Officer, Saran at Chapra.
8. Virendra Singh Kushwaha @ Viren Ji S/o Jatul Prasad, R/o-Anwal ke Tola,
P.S.-Kopa, Distt.-Saran.
9. Shalini Devi W/o Vipin Kushwaha (Mukhiya), R/o Panchayat Raj, Anwal,
P.S.- Kopa, Distt.-Saran.
10. Prince Singh, S/o Awdhesh Singh, R/o Sadhpur Bali, P.S.- Kopa, Distt.-
Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Respondent/s : Mr. S.D. Sanjay, Advocate General

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

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 23-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred the present writ application in the form of Public Interest Litigation for the following reliefs:-

"(i). For issuance of an appropriate writ(s) directing the Respondents to forthwith take all necessary steps to halt and prevent the illegal and unauthorized construction of a Panchayat Bhavan being raised upon the land of Utkramit Higher Secondary School, Anwal, under Khata No. 144, Survey



No. 2099, Village Anwal, P.S.- Kopa, Distt.- Saran.

(ii) For further direction to the Respondents to forthwith demolish or the unauthorized and illegal construction/ structure raised upon the school land and restore the said land to its original state so as to ensure that the educational institution is not deprived of its premises.

(iii) For further direction to the Respondents to pass such necessary orders as are warranted in larger interest of public.

(iv) For further direction to the Respondents to provide adequate protection to the Headmaster, Shri Kumar Sushant, of Utkramit Higher Secondary School, Anwal, who is facing threats from Respondent Nos. 8, 9 and 10 and is being deterred from taking lawful steps to protect the school property.

(v) For further direction to the Respondents to cause an inquiry into the role and conduct of the concerned officials who failed to act upon the applications submitted by the school Headmaster on 25.02.2026 and 24.04.2026 by petitioners and others to fix responsibility for such willful inaction.

(vi) For grant of any other relief(s) which this Hon'ble Court may deem fit and proper in the larger interest of the public and in protection of the right to education of the children of Village Anwal and its surrounding areas."

3. Considering the reliefs sought for, it is noteworthy that the local authority is the competent body to take decision with respect to the site selection and construction of the Panchayat Sarkar Bhawan.

4. Whether the Panchayat Sarkar 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.

5. 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 Sarkar 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.”

6. In view of the discussions made above, we are of the view that no further order is required to be passed in the present case.

7. Accordingly, the writ application stands disposed of.

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

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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