

(2018) 01 JH CK 0052
In the Jharkhand High Court
Case No : 4853 of 2016

Gram Vikas Sammittee Bachhai	Vs	APPELLANT
The State of Jharkhand & Ors		RESPONDENT

Date of Decision : 05-01-2018

Acts Referred:

Citation : (2018) 01 JH CK 0052

Hon'ble Judges : Aparesh Kumar Singh, B.B.Mangalmurti

Bench : Division Bench

Advocate : Rajeev Kumar, Rajeev Ranjan Mishra, Arbind Kr.

Judgement

1. Surviving defects are ignored.
2. Learned counsel for the petitioner is permitted to make necessary correction in the array of Respondents by impleading the Principal Secretary, Department of Panchayati Raj, Government of Jharkhand as Respondent No. 5 and Deputy Commissioner, Hazaribagh as Respondent No. 6 during course of the day.
3. The petitioner, in public interest on behalf of Gram Panchayat Samittee, Bachhai, seeks a direction upon the Respondent authorities of the district of Hazaribagh to undertake construction of Panchayat Bhawan at Bachhai Panchayat Village on the plea that about 22 decimals of land has been donated by certain persons vide Annexure-1 Registered Deed dated 03.06.2016 in the name of Hon"ble Governor, Jharkhand for the specific purpose. Construction work however has not been undertaken due to some vested interest operating with an intent to get the Panchayat Bhawan constructed at village Dumri. Deputy Commissioner, Hazaribagh has been approached through representation vide Annexure-2 by certain

villagers of Bachhai in that regard. However, as per the instruction to the learned counsel for the petitioner, no decision has been taken as yet.

4. Learned counsel for the State submits that the decision in relation to the construction of official building including that of local bodies are taken as

per the Circular and Guidelines laid down by the State Government, taking into account all relevant factors. The Deputy Commissioner,

Hazaribagh may be asked to look into the matter and take a decision in accordance with law.

5. We also consider that at this stage, decision whether to construct a Panchayat Bhawan at a particular place or otherwise is to be taken at the

level of Executive depending upon the Circulars and Instructions on this point and all relevant factors germane to the subject. Accordingly, we

dispose of the PIL with a direction to the competent authority / Deputy Commissioner, Hazaribagh to take a decision in this regard in accordance

with law, within a reasonable time. Let it be made clear that we have not expressed any opinion on the merits of the case of the parties.