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**(1998) 12 RAJ CK 0027**  
**In the Rajasthan High Court**  
**Case No : Civil Writ Petition No. 2657 of 1998**

Hanuman and Others

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

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**Date of Decision :** 01-12-1998

**Acts Referred:**

Constitution of India, 1950 — Article 226  
Rajasthan Panchayat Act, 1953 — Section 88

**Citation :** AIR 1999 Raj 107 : (1999) 1 RLW 460 : (1999) 2 WLC 568

**Hon'ble Judges :** B.J. Shethna, J

**Bench :** Single Bench

**Advocate :** R.L. Jangid, for the Appellant;

**Final Decision :** Dismissed

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## Judgement

B.J. Shethna, J.—The present four petitioners have challenged in this petition the impugned orders passed by the Dist. Collector, Nagaur on 17-10-1997 (Annex. 14) and consequential orders passed by the authorities and prayed that the respondent Nos. 1 to 3 i.e. State of Rajasthan, Dist. Collector, Nagaur and Vikas Adhikari, Panchayat Samiti, Nagaur be restrained from making any payment from the Government fund for construction of Panchayat Bhawan at village Tankla near the house of Sarpanch -- respondent No. 4 known as "Kumharon-ki-Dhani". From the order Annex. 14 passed by the learned Collector it appears that there is a fight going on between two parties of the village regarding construction of Panchayat Bhawan of village Tankla. Respondent No. 4 is a lady Sarpanch belonging to O.B.C. The allegation made in this petition is that it will be at a distance of 3 to 4 kms. from the main Abadi area and near to the house of the Sarpanch which will cause lot of inconvenience to the village people. Therefore, the respondent Nos. 1 to 3 be restrained from constructing Panchayat Bhawan at such a long distance.

2. Apart from the fact that the impugned order Annexure-14 passed by learned Collector is administrative in nature which can be challenged on a very limited

ground of mala fides etc. otherwise it cannot be challenged on any other grounds. Where the Panchayat Bhawan is to be constructed is not to be determined by one or more than one person. The village people have to travel a distance of 3 to 4 kms. to reach the Panchayat Bhawan is no ground for interfering with the order. This Court can take judicial notice of the fact that in this State sometimes at particular places the village people have to travel a distance of miles and miles even to fetch water and other primary facilities.

3. Under the circumstances, I do not find any substance or merit in this petition which is required to be straightway dismissed.

4. However, before parting I must state that the construction of Panchayat Bhawan was sanctioned during the scarcity way back in January, 1996, where out of sanctioned amount of Rs. 2 lacs, Rs. 1,29,423/- has been spent, but the construction of the Panchayat Bhawan is still not completed because of such obstructions created by disgruntle people. It is hope and trust that construction of Panchayat Bhawan will be completed by the authorities at the earliest.

5. With these observations, this petition is dismissed.