

Court No. - 40

Case :- WRIT - C No. - 33034 of 2023

Petitioner :- Ashutosh Kumar

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Vinay Kumar, Mohitosh Singh

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner and Sri Ambrish Shukla, learned Additional Chief Standing Counsel for State-respondent nos.1 to 4.

2. The present writ petition has been preferred for direction upon respondent no.4 for providing proper drainage system on the way of Sheetla Dham Mandir in front of petitioner's house.

3. Learned counsel for the petitioner submitted that due to non-construction of the drainage system during renovation of the road, there is water logging on the road, which is caused by heavy rain as well as waste water of other houses resulting into damage to house of the petitioner. It is also submitted that it is the paramount responsibility of an executing agency to ensure construction of proper drainage system while laying the road. Petitioner has moved several representations before the concerned authorities, but till date no action has been taken in this regard. Hence, the petitioner has been compelled to file the instant petition.

4. Learned Additional Chief Standing Counsel fairly states that in case any representation filed by the petitioner is still pending, the same will be considered and decided by the concerned authority within the time frame as this Court specifies.

4. Considering the facts and circumstances, without adverting any opinion on the merits of the case, we dispose of the writ petition directing the concerned authority to consider and decide the petitioner's representation as per law, preferably within a period of four weeks from the date of production of a certified copy of this order.

Order Date :- 19.10.2023

Manish Himwan