

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3400 of 2014

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Raj Kishore Sharma, Son of Late Kashinath Sharma, Resident of Village-
Shioganj Chhar Khambhagali, P.O.- Arah, P.S.- Nagar Thana (Arah),
District- Bhojpur (Bihar)

.... Petitioner

Versus

1. The State of Bihar Through The Chief Secretary, Patna (Bihar)
2. The District Magistrate, District- Bhojpur (Arah), (Bihar)
3. The Sub Divisional Officer, Arah, District- Bhojpur (Bihar)
4. The Nagar Ayukt, Nagar Nigam Arah, District- Bhojpur (Bihar)
5. The BSNL, through PGMTD, Patna
6. South Bihar Power Holding Company Limited, through its M.D., Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ful Man Singh
Mr. Sunil Kumar Singh No. 10
For the State : Mr. Anil Kumar Sinha, GA 9
Mr. Amaresh Kumar Sinha, AC to GA 9
For Ara Municipal Corpn : Mr. Vishwa Bibhuti Kumar Singh
For B S N L : Mrs. Renuka Sharma

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CORAM: HONOURBLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

17 05-01-2015

The petitioner herein claims to be a social worker. He has submitted a representation on 30.10.2013 to the Municipal Corporation, Ara, drawing its attention to various inconveniences being faced by the public, on account of illegal encroachment on the footpath, improper maintenance of electrical and telephone lines, improper arrangement for vehicle parking within the municipal corporation and non-implementation of traffic rules.

This Court took note of the contents of the complainant and issued notice to the respondents. The respondents

have from time to time apprised the Court of the steps that have been taken by the Corporation over the period of one year. Learned counsel for the Municipal Corporation has also submitted, that as mentioned in the order dated 23.12.2014, the vending and parking zone were notified by 31.12.2014.

After hearing learned counsel for the parties, we are of the view that on its part, the Municipal Corporation, Ara, is under obligation to provide various civic amenities/facilities to public in general. However we find certain limitations in issuing any specific direction. Basically it is the responsibility of the executive and the citizens in general to concentrate on these aspects.

We, accordingly, dispose of the writ petition by directing the Municipal Corporation, Ara, that

- (a) the encroachment on the footpath and public places shall be removed within a period of three months after issuing notice to all concerned;
- (b) to relocate the electrical and telephone poles, if any, in the middle of the road within the same time, i.e. three months, and
- (c) to take steps shall to provide public parking areas, particularly in market place, on pre-paid or free basis within a period of six months.

(L. Narasimha Reddy,CJ)

(I. A. Ansari, J)

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