

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18797 of 2014

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1. Ajit Prasad Mehta son of Late Sugriv Prasad resident of Village/Mohalla- Pakari,
P.O.- Pakari (Ara), District- Bhojpur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna (Bihar)
2. The District Magistrate, District- Bhojpur (Bihar)
3. The City Commissioner, Municipal Corporation, Ara, District- Bhojpur (Bihar)
4. The Commissioner, Patna Pramandal, Patna (Bihar)
5. The Sub-Divisional Officer, Subdivison Ara, District- Bhojpur (Bihar)
6. The Block Development Officer, Block Ara, District- Bhojpur (Bihar)
7. The Circle Officer, Circle Ara, District- Bhojpur (Bihar)
8. The Officer In-Charge, Publiv Grievance Cell, Bhojpur Collectariate, Ara,
District- Bhojpur (Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ful Man Singh, Adv.
Mr. Rabindra Kumar, Adv.
Mr. Sunil Kumar NO.10, Adv.
For the Respondent/s : Mr. PARTH SARTHI (GA11)
Mr. Bishwa Bibhuti Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

and

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE I. A. ANSARI)

Date: 24-09-2015

Heard Mr. Ful Man Singh, learned Counsel, appearing
on behalf of the petitioner, and Mr. Lalit Kishore, learned senior
Counsel, appearing on behalf respondent No.3. Heard also Mr.
Partha Sarthi, learned Government Advocate-11, appearing on
behalf of the State Government.

From the affidavit, which has been filed by Ara



Municipal Corporation (hereinafter referred to as the respondent Corporation), it transpires that the issue of construction of the drain, in question, was considered and decision was taken by the respondent Corporation and, pursuant to the decision so taken, the entire work was divided into two parts and, having prepared the estimate, the construction of the first part was allotted by way of tender. So far as the second part is concerned, the allotment has not been made due to single tender participant.

From the averments made in the affidavit, we are satisfied that the respondent Corporation has taken up the issue of having drainage and this public interest litigation is, therefore, required to be closed.

In view of the above and in the interest of justice, while closing further proceedings of this public interest litigation, we leave the petitioner with liberty to approach the civil court of competent jurisdiction for remedy of his further grievances, if any.

(I. A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

K.C.jha/-

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