

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10834 of 2015

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Manoj Kumar, Son of Late Nageshwar Sharma, Resident of village-
Gangati, P.O.+P.S.- Khudaganj, District- Nalanda (Bihar).

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Principal Secretary, Department of Rural Development, Govt. of Bihar Patna.
3. The Engineer in Chief, Rural Development Department, Bihar, Patna
4. The Executive Engineer Rural Work Division, Hilsa, Nalanda.
5. The District Magistrate, Nalanda.
6. The Principal Secretary Water Resources Department, Govt. of Bihar, Patna.
7. The Executive Engineer Water Resources, Nalanda.
8. The Circle Officer Islampur, Nalanda.
9. The Block Development Officer, Islampur, Nalanda.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ranjeet Tiwary, Advocate

For the Respondents : Mr. J.S. Barnwal, GA-5

Mr. Sanjay Kumar, A.C. to G.A.-5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 25-08-2015 The petitioner, in the present Public Interest Litigation, is aggrieved by the decision of the State respondents for construction of a road from Village- Hulasganj Khudaganj Main Road to Village Chamargangati under Mukhya Mantri Gramin Sadak Yojna in the district of Nalanda.

It is the case of the petitioner that construction of the road with its present plan will adversely affect the irrigation facility in the Villages Gangati, Pakariyabigha and Babuniya Math, as such construction is going to be done after demolishing

the *paine* (narrow water channel), which is in use for providing irrigation in the area.

Learned Counsel appearing on behalf of the respondent State of Bihar has very fairly submitted that the petitioner has filed a representation before the District Magistrate, Nalanda, nearly a month ago and this writ application can be disposed of with a direction to the District Magistrate to consider the petitioner's representation and take a decision by passing an appropriate order.

Having considered the submission made on behalf of the petitioner as well as learned counsel representing the State of Bihar, this writ application is disposed of with a direction to the District Magistrate, Nalanda to consider the said representation, dated 04.07.2015, brought on record by way of Annexure-3 to the writ application, and pass appropriate speaking order, within a period of three weeks from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this writ application stands disposed of.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

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