

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1768 of 2016

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1. Ram Surat Singh Son of Late Jugdeo Singh, resident of village- Fatehpur,
P.O. Fatehpur, P.S. Didarganj, District- Patna (Bihar)

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Patna (Bihar)
2. The District Magistrate, District- Patna (Bihar)
3. The Sub Divisional Officer Sub Division- Fatuha, District- Patna (Bihar)
4. The Commissioner, Patna Pramandal, Patna (Bihar)
5. The Block Development Officer, Block- Patna Sadar, District- Patna
(Bihar)
6. The Circle officer, Patna Sadar, District- Patna (Bihar)
7. Principal Secretary, Public Health Engineering Department, Govt. of
Bihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ful Man Singh

For the Respondent/s : Mr. Roy Shivaji Nath, AAG-3

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 07-04-2016 Heard Mr. Ful Man Singh, learned Counsel for the

petitioner, and Mr. Roy Shivajee Nath, learned Additional

Advocate General No. 3, appearing for the State respondents.

With the help of this writ petition, made under Article
226 of the Constitution of India, in the form of Public Interest
Litigation, the petitioner has expressed the grievance that though
the water tank was constructed about five years back, in Fatehpur
village, to supply drinking water to the population of
approximately 20,000/-, no drinking water is being supplied.

By filing counter affidavit, the State respondents have submitted to the effect, *inter alia*, thus :

“(a) The Fatehpur Water Supply Scheme, Patna is situated in the side of NH at the western side of the dam in Fatehpur village under Patna Block of the District of Patna.

(b) Water Tower is very near to NH and is situated 1.5 to 2 Km away from the dense population.

(c) Despite much effort by the Department no any connection has been taken by the villagers and as a result of which due to immense pressure in the supply system leakage problem has become an usual problem.

(d) The Water Tower is situated in the campus of Fatehpur High School and due to technical problem of leakage the Pump Operator is usually humiliated by the villagers due to anger and as such the water supply is usually disturbed. To continue the water supply without interruption, it is necessary to repair the water leakage and it may be possible if the villagers take water connections in their houses. Water supply is done to the High School and Middle School every day for one hour from the Water Tower.

(e) Rs. 95,235/- has been estimated for repairing of the water distribution system under priority and work will be done after release of the fund.”

In view of what have been pointed out by the State respondent in the counter affidavit, we do not find that this writ petition calls for any specific direction from the Court to the respondents, except that the State respondents shall ensure that necessary repairing of the water distribution system is completed in Fatehpur village, within two months from today.

While closing this writ petition, we grant, in the interest of justice, liberty to the writ petitioner to approach this Court with appropriate application, in future, if so advised and/or take recourse to such provisions of law as may be permissible.

In terms of the above observations and directions, this writ petition shall stand disposed of.

(I.A. Ansari, ACJ)

(Samarendra Pratap Singh, J)

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