

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7920 of 2015

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Shyam Uday Kumar, Son of Late Ram Ratan Singh, resident of Village- Kurre,
Police Station- Ghosi in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Water Resources Department, Government of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Gaya.
5. The Superintending Engineer, Water Resources Circle, Ghosi in the district of Jehanabad.
6. The Executive Engineer, Water Resources Division, Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate.

For the Respondent/s :

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 06-12-2016

Heard learned counsel for the parties.

2. The petitioner in the present writ application in



public interest has sought a direction to the respondents to start the work of construction of protection wall in Kurre Minor Canal and Daidi-Korra Minor Canal after completing proper levelling of water flow in the canal so that the land of the local farmers could be irrigated properly and smoothly.

3. In the counter affidavit, the stand of the respondents is that both the minors i.e. Kurre Minor and Daidi-Korra Minor originate from Habibalipur Branch canal under Uderasthan irrigation scheme. At present, both minors are earthen canal which are being used for irrigation purposes but due to earthen section these channels breaches in full discharge of flow resulting into huge quantitative loss of water. Therefore, to ensure water flow and minimize seepage, brick protection wall in the shape of channel has been proposed. The financial sanction has been granted for the said purpose. It is further pointed out that for construction of protection wall, works have been allotted to qualified agency by competent authority after inviting tenders. Proper Detailed Level has been taken of both minors by joint levelling Committee as per departmental norms as level of bed levels, gradient of channels, fully supply levels are fixed which ensure proper irrigation in the commands of each minors. It is also mentioned that 2 K.M. of construction of protection wall is proposed in Kurre minor which originates from Habiblipur branch canal and ends near Village-



Kurre whereas, 2.28 K.M. of protection wall is proposed in Daidi-Korra minor which originates from Habibalipur branch canal and ends near village Daidi.

4. In view of the averments made in the counter affidavit, we do not find that petitioner can have any surviving grievance.

5. The writ application is, thus, dismissed.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	14.12.2016
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