

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17678 of 2015

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Rajnish Kumar, Son of Sri Sunil Kumar Singh, resident of Village + P.O.- Bhan Borhan, P.S.- Jandaha, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar through District Magistrate, Vaishali, Hajipur.
2. District Project Officer (Zila Yojna Padahikari).
3. Chief Engineer, Village work Department, Mahnar, Vaishali.
4. Murari Pd. Singh, M/S Ohm Construction, Village + P.O.-Kapasias, District- Saharsa

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Archana Sinha @ Archana Shahi, Advocate
For the State : Mr. Ashok Kr. Choudhary, AAG-13
Mr. Anshuman Singh, A.C.to AAG-13
For the Respondent No.4 : Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

Date: 29-06-2016

This writ application is in the nature of *public interest litigation*, has been filed, seeking a direction to the respondents-State of Bihar to complete the work of construction of public road from Mahkauli Ghat via Chandanpur Sahpur in Vaishali district.

From the pleading on record, it transpires that construction of road was earlier sanctioned way back in the year 2008. However, the contractor failed to accomplish the work, despite reminders given to them, by the authorities. For having shown undue

leniency by the Executive Engineer and his predecessor towards the inaction of the contractor, the State is contemplating suitable action against them for commission or omission on their part.

It has, however, been stated in an elaborate counter affidavit filed on 11.05.2016 on behalf of respondents No. 3 and 4 that the department has re-sanctioned construction work of the said road the work is likely to be allotted by 15.07.2016. It is specific stand of the State of Bihar that entire construction shall be completed, latest by 15.12.2017.

Considering the stand taken on behalf of the State of Bihar, in the aforesaid counter affidavit, filed on 11.05.2016, we dispose of this application with an observation that the time schedule as indicated in the said counter affidavit must be strictly followed and work must be completed by the said date, i.e., 15.12.2017.

(I. A. Ansari, ACJ)

Vats/-

(Chakradhari Sharan Singh, J)

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