

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7456 of 2015

- =====
1. Rajiv Kumar Sharma. Son of Sri Uma Shankar Sharma. R/o village - Dharampur, P.S.- Sardai, District - Vaishali.
 2. Mukesh Ranjan. Son of Brajkishore Mishra. R/o village - Shashi Colony, Hajipur, P.S.- Town, District - Vaishali.
 3. Chandradeep Narain Singh. Son of Late Mahavir Singh. R/o under Kila Hajipur, P.S.- Town, District - Vaishali.

.... Petitioners

Versus

1. The State of Bihar, through the Chief Secretary.
2. The Road Construction Department, Bihar, Patna.
3. National Highway Authority of India, New Delhi.
4. The Union of India through Ministry of Road Transport and Highway, Government of India, New Delhi.
5. District Magistrate, Vaishali at Hajipur.
6. Superintendent of Police, Vaishali at Hajipur.
7. Sub Divisional Magistrate, Vaishali at Hajipur.
8. Mr. Manoj Kumar, Project Director, NHAI Hajipur.
9. A.K. Mittal Chairman Railway Board Construction of India.
10. A.K. Mittal G.M. East Central Railway, Hajipur at Vaishali.

.... Respondents

=====

Appearance :

For the Petitioners : Mr. Aparna Bharti, Advocate
For the State : Mr. Ajay, GA12
For rspt. no.9 & 10 : Mr. D.K.Sinha, Sr. Advocate
For the NHAI : Mr.S.N.Pathak, Advocate
For the UOI : Mr. S.D.Sanjay, Addl.SG

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 08-04-2016 Heard Ms. Aparna Bharti, learned Counsel for the petitioners, and Mr. Ajay, learned Government Advocate 12, appearing for the State. Also heard Mr.D.K.Sinha, learned Senior Counsel, appearing for the Respondent Nos. 9 to 10, Mr. S.N.Pathak, learned Counsel appearing for the National

Highway Authority of India, and Mr. S.D.Sanjay, learned Additional Solicitor General, appearing for the Union of India.

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 sought for directions to be issued to respondents to complete the construction work of Railway Over Bridge No. 1, Dighi Kala, Gumti No. 54, between Hajipur and Muzaffarpur on NH 77.

By filing counter affidavit, respondent Nos. 9 and 10, namely, the Chairman, Railway Board, Government of India, and the General Manager, East Central Railway, Hazipur, at Vaishali, have submitted that the necessary design for the Railway Over Bridge has been approved and it is, now, for the respondent No.3, namely, National Highways Authority of India, to take necessary steps for construction of bridge in question.

Appearing on behalf of respondent no.3, Mr. S. N. Pathak, learned Counsel, submits that respondent No.3 would do the needful in accordance with law.

In view of the above and in the interest of justice, this writ application is hereby disposed of with direction to the

respondent no.3, namely, the National Highways Authority of India, to expedite the construction of the Bridge in question and complete the same within the stipulated period.

If necessary action is not taken by respondent No. 3, the petitioner shall remain at liberty to approach this Court for necessary direction(s) and/or take recourse to such provisions of law as may be permissible.

(I.A. Ansari, ACJ)

(Samarendra Pratap Singh, J)

Shashi.

U			
---	--	--	--