

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5730 of 2015

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Ramdeo Das, son of Late Narain Das, resident of village Guriyawa Tola Sagarpur, P.O. Itwan P.S. Mohanpur, Town and District- Gaya.

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary-cum-Commissioner, Department of Water Resources (Minor Irrigation) Government of Bihar, Patna

2. The Superintendent Engineer, Department of Water Resources (Minor Irrigation), Government of Bihar, Patna

3. The Executive Engineer, Department of Water Resources (Minor Irrigation), Gaya Division, Gaya.

4. The Assistant Executive Engineer, Department of Water Resources (Minor Irrigation), Gaya.

.... Respondents

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Appearance :

For the Petitioner : Mr. Dharmendra Kumar Sinha, Advocate

For the Respondents : Mr. Anjani Kumar, AAG 6

Mr. Shailendra Kr. Singh, AC to AAG 6

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 30-01-2016 The grievance of the petitioner in the present application under Article 226 of the Constitution of India, in the nature of *Public Interest Litigation*, is against dismantling of Sakhuwar Aahar, situated in village Guriyawan, within Mohanpur Police Station, in the District of Gaya.

It is the case of the petitioner that the villagers of the concerned village have no other source of irrigation than the said Sakhuwar Aahar and because of the damage caused to the said water-body, the irrigation facility has got

adversely affected.

A counter affidavit has been filed on behalf of respondent No. 3. In paragraph 9, the deponent has admitted that because of rain and erosion of soil during the rainy season of 2014 and 2015, the said structure has got partially damaged for which corrective measures would be taken up after the end of this rainy season.

In view of the stand taken on behalf of the respondent as stated above, this application is closed with a direction to respondent No.2, Superintending Engineer, Department of Water Resources (Minor Irrigation), Government of Bihar, Patna, to ensure that corrective measures, as suggested in paragraph 9 of the counter affidavit, are taken with all promptitude. We give liberty to the petitioner to approach this Court, with appropriate application, in future, if the grievances, raised by the petitioner, are not met by the respondents/authorities concerned.

The proceeding stands closed accordingly.

(I. A. Ansari, J)

(Chakradhari Sharan Singh, J)

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