

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4137 of 2015

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1. Ajit Kumar son of Late Paras Nath Verma Resident of Mohalla : Naya Bazar, Ward No. 11 P.O. and P.S. : Bettiah Town, District : West Champaran.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Bihar at Patna.
2. The Principal Chief Secretary, Finance Department, Bihar at Patna
3. The Secretary, Road Construction Department, Bihar at Patna
4. The Chief Engineer, Road Construction Department, Bihar at Patna
5. The Collector, West Champaran
6. The Deputy Development Commissioner, West Champaran, Bettiah
7. The Executive Engineer, District Urban Development Authority, Bettiah
8. The Assistant Engineer, District Urban Development Authority, Bettiah
9. The Chief Executive Officer, Nagar Parishad, Bettiah, West Champaran
10. The Junior Engineer, Nagar Parishad, Bettiah, West Champaran

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Respondent/s : Mr. P.K. Verma, AAG-5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 05-02-2016 Heard Mr. Amarendra Nath Verma, learned counsel for the petitioner, and Mr. P.K.Verma, learned Additional Advocate General No. 5, appearing for the State respondents. Heard also Mr. Dhananjai Kumar No.2, learned counsel for the respondent Nos. 9 and 10.

The grievance in this writ petition, made under Article 226 of the Constitution of India, in the nature of Public Interest Litigation, relates to construction of road in Bettiah Bazar in the Bettiah district, ignoring the desired level by increasing the height

of walls above the plinth of the houses of the locality. The construction so made, according to the petitioner, is in breach of direction of this Court, contained in the order, dated 19.04.2010, passed in C.W.J.C.No. 4339 of 2010.

Considering the nature of grievance and facts and circumstances, we dispose of this application with a direction that if the petitioner approaches the respondent No.1, namely, Chief Secretary, Government of Bihar, Patna, he will examine the matter and do the needful in accordance with law, in the light of the order, dated 19.04.2010, passed in C.W.J.C.No. 4839 of 2010 and other analogous case and also in the light of averments made in the counter affidavit filed by respondent Nos. 9 and 10 and take a decision in the matter, in accordance with law within a period of three months from the date of receipt of a copy of this order along with a copy of the present writ petition and annexures thereto and the counter affidavit, which has been filed by respondent Nos.9 and 10. .

With the directions aforementioned, this writ petition stands disposed of accordingly.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

A.I./-

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