

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6460 of 2017

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1. Ajit Mahto, son of Late Ram Bilash Mahto, resident of Village-
Tulshiya, Post- Ghorghat, P.S.- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Government of Bihar,
Patna.
2. The Principal Secretary, Road and Construction Department,
Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Munger.
4. National Highway Authority of India through its Managing Director G-
5 & 6 Sector-10, Dawarka, New Delhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Advocate
For the Respondent/s : Mr. Amit Prakash-GA13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 16-08-2017

This public interest litigation has been filed seeking
mandamus restraining the respondents from increasing the height
of the PCC bridge along with the road approaching the Ghorghat
N.H.80, Anchal -Bariyapur, District- Munger.

It is stated that if the height of PCC bridge and the
approach road is increased, as per the proposal given, it would
cause inconvenience with day to day activities of the villagers and
would also result in water logging during the rainy season.

The question of construction of PCC bridge along



with road and increase of height and taking step for water logging, etc. are matters within the policy decision of the State Government based on expert opinion and the Writ Court is not required to go into all these aspects of the matter and issue mandamus. If the petitioner has any grievance, he may represent to the competent authority of the State Government and the authority concerned to look into the matter.

Finding the issue beyond the jurisdiction of this Court for exercising extra-ordinary jurisdiction under Article 226 of the Constitution, we dispose of the matter with liberty to the petitioner to take up the issue with the administrative authority of the State Government.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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