

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13181 of 2016

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Sri Akhilesh Kumar @ Manu Singh, S/o Late Arjun Prasad Singh, r/o village
Amba, P.S. Shahkund, District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Patna, Bihar.
2. The Principal Secretary, Department of Water Resources Department, Bihar at Patna
3. The Principal Secretary, Department of Agriculture, Bihar at Patna
4. The Principal Secretary, Department of Finance, Bihar at Patna
5. The Engineer-in-Chief, Department of Water Resources Bihar, at Patna.
6. The Chief Engineer, Department of Water Resources, Bihar
7. The Executive Engineer, Department of Water Resources, Bihar
8. The District Magistrate, Bhagalpur
9. The Sub- Divisional Officer, Banka
10. The Block Development Officer, Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amiya Kunal, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-04-2017

In this petition filed in public interest, it is the grievance
of the petitioner that he is resident of Village Amba, district-
Bhagalpur and petitioner claims to be representing the interest of



farmers who are living in the area in question. It is the case of the petitioner that river Bilasi used to irrigate a large chunk of land in various areas of Bhagalpur and by the natural flow of the water of this river large area was being irrigated. But now, all of a sudden, because of drainage of rivers and erection of reservoirs by the Government, the irrigation is being adversely affected and pointing out that certain steps should be undertaken for construction of canals and various other facilities, the prayer made is to issue a *mandamus* in the matter of making of canals and taking steps for providing irrigation facility.

The relief claimed by the petitioner pertains to action to be taken for providing better irrigational facility and improvement of the same in the area in question. The same is an executive action to be undertaken by the policy makers after evaluating various administrative requirements and this Court does not deem it appropriate to enter into all these areas of dispute pertaining to policy making and issue any *mandamus* with regard to method to be followed for irrigation in a particular village. These are beyond the jurisdiction of this Court in a petition under Article 226 of the Constitution and, therefore, finding no ground to interfere into the matter, the writ petition stands disposed of with liberty to the petitioner to represent to the competent authority of the State Government or the concerned department and it would be for the



department to look into the grievance of the petitioner.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	02.05.2017
Transmission Date	

