

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2878 of 2017

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Sanjeev Narayan Singh Son of Sri Kameshwar Singh Resident of Village-
Padriya, P.O.-Mali, P.S.-Mali, District-Aurangabad.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Water Resources, New Delhi.
2. The Secretary, Ministry of Water Resources New Delhi.
3. The Secretary, Ministry of Environment and Forest New Division, Paryavaran Bhawan, CGO Complex, Lodi Road New Delhi.
4. The State of Bihar, through the Secretary, Department of Water Resources, Government of Bihar, New Secretariat, Patna,
5. The Secretary, Department of water Resources Government of Bihar, New Secretariat, Patna.
6. The State of Jharkhand, through the Secretary, Department of Water Resources, Government of Jharkhand, Ranchi.
7. The Special Secretary, Water Resources Government of Jharkhand, Ranchi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Adv.
For the Respondent/s	:	Mr. Anjani Kumar-AAG 4
For Union of India		Mr. Mr. S.D. Sanjay, Sr. Adv.
		Mr. Rajesh Kr. Verma, Adv.
The State of Jharkhand		Mr. Nishi Nath Ojha, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-12-2017

This is a Public Interest Litigation filed by the petitioner seeking issuance of mandamus commanding the respondents to conclude the Batane Reservoir Project which started in the year 1975, but has not been completed till date. It is stated that the Planning Commission to Government of India had



approved this project in the year 1975 at a cost of Rs.4.07 Crores. Memorandum of understanding was signed by the State of Bihar and State of Jharkhand on 26.6.2006 for the purpose of management, construction, operation and maintenance after sharing of cost and benefit and in spite of huge amount being spent, the project has not been completed.

On notice being issued, counter affidavits have been filed by the Union of India, State of Bihar and State of Jharkhand and now, from the facts that have come on record, it is seen that the technical sanction and other requirements along with enhanced fund have been granted and the State of Jharkhand has commenced the project in question. From para 9 onwards of the counter affidavit of the State of Jharkhand, it is indicated that revised administrative approval for Rs.150.33 Crores for different components of the scheme falling under the jurisdiction of the Jharkhand State has been accorded on 30th of December, 2015 and from para 11 onwards, the details with regard to commencement of the work is indicated. Now from the counter affidavit that has been brought on record, it is seen that work on the project has commenced and in the counter affidavit an assurance has been given that the project shall be concluded after construction within a reasonable period of time.



Taking note of the action now undertaken by the respondents, we see no reason to make any indulgence into the matter and keep the matter pending. The respondents may proceed to conclude the project in right earnest within the period prescribed.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.12.2017
Transmission Date	

