

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19425 of 2014

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Pankaj Kumar Rai, son of Sri Ramashrya Rai, Resident of Village - Jaitpura, P.O. +
P.S. Noan, Distt - Kaimur.

.... Petitioner/s

Versus

1. State of Bihar, through its Chief Secretary, Bihar, Patna.
2. Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. Engineer-in-Chief (South Bihar), Water Resources Department, Bihar, Patna.
4. Chief Engineer, Dehri Range, Water Resources Deptt. Dehri-on-Sone, Gaya.
5. Superintending Engineer, Irrigation Mechanical Division, Mohania, Kaimur.
6. Sub Divisional Officer, Irrigation, Mechanical Division, Mohania, Kaimur.
7. Executive Engineer, Irrigation, Mechanical Division, Mohania, Kaimur.
8. District Magistrate, Kaimur.
9. Chairman, Bihar State Electricity Board, Bailey Road, Patna.
10. General Manager, Bihar State Electricity Board, Gaya.
11. M/s Garima Contract Private Limited, Ramgarh, District - Kaimur.
12. M/s Flomora Limited, Santosh Bhawan, Road No. 1 (Extension) Rajbanshi Nagar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Pankaj, Advocate
	:	Mr. Navin Kr. Sinha, Advocate
For the State	:	Mr. Ravindra Kumar AC to AAG-6
For the SBPDCL	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Vijay Kr. Verma, Advocate
		Mr. Akhileshwar Singh, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 16-01-2017

The petitioner has invoked the public writ jurisdiction of
this Court claiming a direction to the respondents to make permanent
arrangements for supply of water for irrigation from Jaitpura canal,
which affects to the irrigation of about 15000 acres of agricultural



land covering about ten villages in the district of Kaimur.

There are number of affidavits filed by the State from time to time. In the supplementary counter affidavit filed on 25th of January, 2016, it was stated that a plan was prepared in the year 2010 for deep bore-well on Karmnasa river at the cost of Rs.851.40 lakhs. Since the said project will take a longer time, therefore, the temporary arrangement was planned for supply of water through flexible HDPE Pipes. However, the water could not be supplied through such pipes on account of inadequate electricity voltage supply. In view of the said fact, another supplementary counter affidavit has been filed on 12th of January, 2017, wherein, it has been stated that electricity company installed two transformers of 315 KVA each for smooth supply of electricity with required voltage and the Irrigation Division, Ramgarh, got repaired the damaged portions of the canal. The electricity company ensured regular supply of electricity during *Kharif* season and during the period of 1st week of August 2016 to 1st week of October, 2016. The pumps were operated for 862 hours and adequate water was supplied to the beneficiary farmers for irrigation of their fields.

It, thus, appears that the temporary arrangement for irrigation of land has been made but the permanent arrangement is still required to be made as stated in the supplementary counter



affidavit filed on 25th of January, 2016. Therefore, we dispose of the present writ application with a direction to the State to consider the grievance of the petitioner and install permanent mechanism for irrigation as mentioned in the proceedings dated 19th of January, 2016, attached with the said supplementary counter affidavit, as expeditiously as possible.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18/01/2017
Transmission Date	

