

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6865 of 2016

=====

Jitendra Kumar Sharma, Son of Sri Ram Naresh Singh, Resident of Village- Karkat
Bigha, Police Station- Paliganj District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Patna.
3. The Sub Divisional Officer, Paliganj, District- Patna.
4. The Circle Officer, Paliganj, District-Patna.
5. The Commissioner-Cum-Secretary, Water Resources Department, Govt. of Bihar, Patna.
6. The Chief Engineer, Water Resource Department, South Bihar, Patna.
7. The Superintending Engineer, Water Resource, Sone Canal Patna, District Patna.
8. The Executive Engineer, Sone Canal Division, Patna, District- Patna.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Shiva Shankar Prasad Singh, Advocate.

For the Respondents : Mr. S.D. Yadav, A.A.G. IX.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-04-2017

At the instance of the petitioner in this 'Public Interest Litigation', we are not inclined to go into the question of negligence caused and damage to the farmers with regard to destruction due to flow of canal water in the embankment in question.

On notice being issued, the respondents have filed a counter affidavit and they have brought on record various documents including the report of the Expert Committee which rebuts the contention of the petitioner. In that view of the matter, we are not



inclined to interfere in the matter, at the instance of the petitioner, he being not an aggrieved person who has suffered loss as a consequence of the complaint. If any aggrieved person has any grievance, liberty is granted to them to raise a claim before the Sub Divisional Officer or any other statutory or competent authority and dismissal of this writ petition at the instance of the petitioner will not come in the way of the individual aggrieved person to ventilate his grievance, the competent authority in such case shall look into the grievance of the person concerned and take decision for payment of compensation or otherwise within a reasonable time.

With the aforesaid observation and liberty to the aggrieved persons, if any, the petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

U.K./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17.04.2017.
Transmission Date	

