

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.4848 of 2017**

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Manoj Kumar Singh, S/o Late Girish Narayan Singh, Resident of Village- Jaitis,  
P.O.- Aerodram (Jamari), P.S.- Cherki, District- Gaya.

.... .... Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Road Transport and Highway G-5 and 6 Sector-10 Dwarika, New Delhi 110075.
2. The General Manager (T) B, H and JH National Highway Authority of India and 6, Sector- 10 Dwarka, New Delhi 110075.
3. The Project Director, NHAI D-63 Sri Krishnapuri, Patna 800001.
4. The Land Acquisition Officer, Gaya, District- Gaya.
5. The District Magistrate, District- Gaya.
6. The State of Bihar.

.... .... Respondent/s

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**Appearance:**

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate.

For the Respondents-State: Mr. Ajay, GA 5.

For the NHAI: Dr. Anand Kumar, Advocate.

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

**Date: 17-05-2017**

The petitioner, in this Public Interest Litigation, wants a road situated in Village – Jamri Tola Jaitia, Gaya By-pass of NH-83 to be shifted and constructed in a particular manner so that it is convenient to the public at large.

The grievance raised by the petitioner pertains to construction of a particular National Highway in a particular manner, so that it is convenient to the nearby villagers. The aforesaid issue is an administrative and executive issue to be considered by the



competent authority of the National Highway Authority or the government concerned which is entrusted with the duties of construction of National Highway. The question of construction of a Highway, its alignment and various other aspects are determined; based on technical evaluation and various other administrative and executive considerations. Accordingly, keeping in view that various aspects of matter are required to be taken into consideration, it is not for a Writ Court to go into all these questions; the concerned executive authority may look into the grievance of the petitioner.

Finding no indulgence to be made into the matter with regard to the issue in question which may be raised before the executive authority, this Writ Petition stands disposed of.

**(Rajendra Menon, CJ)**

**(Sudhir Singh, J)**

Dilip, AR

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