

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16320 of 2017

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Manoj Kumar Kushawaha, Son of Lalan Singh Kushawaha, Mohalla- Basudhar,
P.O. + P.S.- Basudhar Itadhi, Basudhar, District- Buxar, Bihar, 802123.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Sinchai Bhawan,
Harding Road, Patna.
3. The Chief Engineer, Irrigation Creation, Water Resources Department, Saharsa.
4. The Superintending Engineer, Irrigation Circle, Saharsa.
5. The Executive Engineer, Irrigation Division, Birpur, Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. J. S. Arora, Sr. Advocate
Mr. Alok Ranjan, Advocate

For the Respondent/s : Mr. Anjani Kumar, AAG-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 14-11-2017

Having heard learned counsel for the parties, we are of the considered view that the issue involved in the matter pertains to construction in an area, which falls within the territory of Nepal. That being so, it would be appropriate for the petitioner to approach the Government of India and seek indulgence in the issue in question.

In exercise of jurisdiction under Article 226 of the Constitution, in a Public Interest Litigation, we see no reason to make any indulgence into the matter. Granting liberty to the petitioner to take up the issue before the Government of India or before the



competent authority, we dispose of the mater.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.11.2017
Transmission Date	NA

