

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7309 of 2017

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Prashant Kumar Sinha son of Late Lalit Kumar Sinha resident of mohalla
Chunapur Road, Manjhali Chowk, Madhubani, P.S. K. Hat, District Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector, Purnia.
2. The Collector, Purnia.
3. The Deputy Development Commissioner, Purnia.
4. The Sub Divisional Officer, Purnia.
5. The Executive Engineer, District Urban Development Agency, Purnia.
6. The Chairman, Nagar Nigam, Purnia.
7. The Chairman, Zila Parishad, Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate Mr. Kamal Kishore Jha, Advocate
For the State	:	Mr. Ajay Kumar, GA-5
For the Respondent No.6	:	Mr. Bijendra Kumar Singh, Advocate
For the Respondent No.7	:	Mr. Mukul Prasad, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-08-2018

By way of this petition, which has been filed by the petitioner as a Public Interest Litigation petition, it is prayed to direct the respondents to construct road from Manjhali Chowk, Madhubani to Chunapur Ghat, Purnea. Even from the counter affidavit filed on behalf of the Municipal Commissioner, Purnea, the road in question is absolutely in such a bad condition that the same is not motorable at all and the same is in a most dilapidated



condition. As per the catena of decisions of Hon'ble Supreme Court and other High Courts, every citizen has a right to have a motorable road, more particularly when the citizens are paying the tax.

From the material on record, it appears that earlier, except inviting tenders, nothing further has been done and the suffering to the citizen has been continued. It is also reported that even other roads, other than the roads in the town of Purnea, are also required to be re-surfaced.

According to the respondent corporation, the roads can be said to be just motorable. At the same time it can be said that those roads are also not having a good condition.

A supplementary counter is filed on behalf of the respondent corporation and the learned counsel appearing on behalf of the respondent corporation, on the instruction of the Municipal Commissioner, Purnea, has stated that so far as the road in question is concerned, the same shall be constructed/reconstructed/re-surfaced within a period of 9 months from 28th October, 2018.

The Municipal Commissioner, Purnea, is directed to act accordingly and see to it that the road in question is re-



constructed/re-surfaced within the stipulated time period as stated hereinabove.

Now, so far as the other roads under Purnea Corporation are concerned, all efforts shall be made by the Commissioner to see that the said roads are also made motorable and the citizens may not have to suffer any more. The Municipal Commissioner, Purnea to supervise and monitor the work of re-construction/re-surfacing the road in question so that the same is re-constructed/re-surfaced within a period of 9 months from 28th of October, 2018 as directed hereinabove, failing which the matter shall be viewed very seriously and same may be considered as deliberate disobedience of the direction issued by this Court for which the appropriate contempt proceedings may be initiated.

With this, the present petition stands disposed of at this stage.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

K.C.Jha/Uma/-

AFR/NAFR	
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