

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12669 of 2017

Patna Civil Society having its Office at 33/247, Road No. 10E, Rajendra Nagar, P.S.- Kadam Kuan, Patna- 800016, through its Hony. Secretary Dr. Ashok Kumar, Son of Sri B.N. Sharma.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Patna.
5. The Circle Officer, Patna Sadar, Patna.
6. The Municipal Commissioner, Patna Municipal Corporation, Patna.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Abhay Shankar Singh, Advocate
For the Respondent-State	:	Mr. Rajiv Roy – GP 1
		Mr. Suresh Kumar, AC to GP 1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-09-2018

1. By way of this Public Interest Litigation, the petitioner has prayed for appropriate reliefs/writs directing the respondents to develop the existing drainage system (Niranjanpur Kharunia Old Nala) and make it fully operational by removing all sorts of obstructions from the said plot starting from Agamkuan Railway Culvert to south of New Bypass Road adjacent to Kamaldeh Jain Temple via Shital Mandir.



2. It was the case on behalf of the petitioner that though the drainage work was to be started in the year 2016 and even the estimate was also prepared and thereafter, nothing further has been done and when the sufferers are the public at large residing in that area.

2.1. When lastly, the matter was heard it was submitted on behalf of the Patna Municipal Corporation that as the estimate provided was of the year 2016, the same was required to be revised and that the same is sent to the State Government for release of the grant/fund as per the revised estimate. It is stated that now the revised estimated cost is Rs.3,13,24,300/- (Rupees Three Crores, thirteen lacs, twenty four thousand and three hundred). It is stated on behalf of the Corporation that once the State Government releases the grant, immediately within 12 months, the drainage system shall be constructed in the area in question.

2.2. Sri Ravij Roy, learned Government Pleader-1, appearing on behalf of the State has placed on record the communication dated 10th September, 2018 addressed by the Deputy Secretary, Urban Development and Housing Department by which the technical approval has been granted for release of Rs.3,13,24,300/- (Rupees Three Crores, thirteen lacs, twenty four



thousand and three hundred). It is stated that within a period of two weeks, the process for release of grant shall be completed.

3. The communication dated 10th September, 2018 addressed to the learned counsel appearing on behalf of the Government is directed to be taken on record.

4. Concerned Department/ Deputy Secretary, Urban Development and Housing Department is directed to act as per the communication dated 10th September, 2018 and see to it that grant for the drainage scheme is actually released and transferred to the account of the Patna Municipal Corporation within a period of three weeks from today. Thereafter, within a period of 12 months, the Patna Municipal Corporation is directed to construct/ provide the drainage system in the area in question for which the present petition is preferred without fail failing which, strict view shall be taken for non-compliance of the present order.

5. With this, the present petition stands disposed of.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.09.2018
Transmission Date	

