

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10951 of 2011**

=====

Kishor Kumar Bhagat, son of Late Mahabir Pd. Bhagat Laxmipur, Near  
General High School, Main Road, Madhepura, P.S. & Distt. Madhepura  
.... .... Petitioner

Versus

1. The State Of Bihar through Commissioner-cum-Secretary Water Resources Department, Bihar Patna
  2. The Chief Engineer Irrigation Mechanical Water Resources Department, Patna
  3. The Superintending Engineer, Irrigation Mechanical Circle, Muzaffarpur
  4. The Executive Engineer, Irrigation Mechanical Division Gandak Project, Balmikinagar
  5. The Chief Secretary Govt. of Bihar, Patna
  6. The Commissioner, Tirhut Division, Muzaffarpur
  7. The Secretary to Commissioner, Tirhut Division, Muzaffarpur
- .... .... Respondent/s
- =====

**Appearance:**

For the Petitioner/s : Mr. Tara Nath Jha, Advocate.

For the Respondent/s : Mr. Prabhakar Jha, GP 15.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

20    07-02-2018                      Learned counsel for the petitioner submits that the main grievance of the petitioner has already been redressed during pendency of the Writ Application, however, there are still some claims which he has raised in his rejoinder.

Learned counsel representing the State submits that in view of redressal of the grievance of the petitioner, as stated by learned counsel for the petitioner, nothing remains for adjudication in the present case. If the petitioner has any other claim which he wants to agitate by bringing it in his rejoinder, the same should first be raised before the concerned respondents and only if he



would be aggrieved by any decision taken by the respondents concerned, the petitioner may have a cause of action but, so far as the present Writ Application, is concerned it has become infructuous.

I am in agreement with the submissions made by the learned counsel for the State.

This Writ Application has become infructuous in view of the statements made by the learned counsel for the petitioner that the main grievance of the petitioner has already been redressed.

It is made clear that the petitioner will have liberty to raise any claim which he deems entitled to before the concerned authority within a period of four weeks from today.

If such a claim is made by the petitioner, the concerned authority shall definitely consider the same and shall pass a reasoned order thereon within a period of three months from the date of receipt / production of a copy of the representation, if any. Needless to say that the consideration of the claim will be only in accordance with law.

The Writ Application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

