

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1600 of 2019

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Md. Kaishar Imam, son of Abul Mistri, Resident of Rampur North, P.S.-
Farbesganj, District-Araria (Bihar).

... .. Petitioner/s

Versus

1. The State Of Bihar through Engineer-in-Chief, Road Construction Department, Govt. of Bihar.
2. Superintending Engineer, Road Construction Department, North Bihar, Purnea.
3. Executive Engineer, Road Division, Araria (P.W.D.), Bihar
4. The District Magistrate, Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Shankar

For the Respondent/s : Mr. Uday Shankar Sharan Singh, GP-19

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-01-2019 Heard learned Counsel for the parties concerned.

The petitioner has a grievance that construction of bridge side road, adjacent to the petitioner's plot, is wholly arbitrary. It is his contention that earlier the said bridge side road was constructed fairly away from his plot, but, now, the road would be almost touching the exit door of his house. It is being contended on behalf of the petitioner that if the construction is allowed to continue, it will raise serious hygienic issue as an open drainage would be flowing adjacent to his plot, over which he is constructing his house.

This is not being disputed that the bridge is being constructed over the land which belongs to the State. If the said



construction is causing any inconvenience, the petitioner can raise his grievance before executive authorities or ventilate his grievance under the Bihar Right to Public Services Act, 2011.

This Court, in writ jurisdiction, under Article 226 of the Constitution of India, cannot entertain the nature of relief which the petitioner is seeking.

This application is, accordingly, disposed of with the observation that the petitioner shall be at liberty to raise his plea which he has raised in the present writ application before appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J.)

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