

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9117 of 2018

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Ankesh Kumar Singh, Secretary, Ram Sevan Sansthan, N.G.O., S/o Ram Sevak Singh R/o Village - Supaul, P.O. Supaul Via Basudeopur, Chandel, P.S. - Patori, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Old Secretariat, Patna
2. The District Magistrate, Vaishali.
3. The District Programme Officer, Vaishali.
4. The Block Programme Officer, Mahnar Block, District - Vaishali.
5. The Circle Officer, Mahnar, Anchal and District - Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Verma, Advocate
Mr. Alok Kumar Choudhary, Advocate
For the Respondent/s : Mr. Manish Kumar, A.C. to AAG-6
Mr. Rabindra Prasad Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

4 18-11-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The present Writ Application has been filed with



prayer of construction of road. The specific relief has been stipulated in Paragraph No. 1 of the petition which reads as follows:-

“1. That this is an application praying for the issuance of a writ of the nature of Mandamus or writ, order or direction commanding the Respondents to give direction to the Respondents to construct the Road from Brahm Asthan, Allipur or Bindeshwar Singh House in Panchayat Raj Allipur, Hatta, Ward No. 9, Tola Mazlispur, Anchal- Mahnar, District- Vaishali under Mukhya Mantri Gram Tola Sampark Path Yojna.”

A counter affidavit has been filed on behalf of the respondents taking a stand in Paragraphs 8 and 9 to the effect that Schemes under PMGSY (Pradhan Mantri Gram Sadak Yojana) and MMGSY (Mukhya Mantri Gram Sampark Yojana) Central Core Network and State Core Network respectively have been prepared and construction of roads are being taken place as per the above mentioned lists of Core Networks. Apart from that construction of roads of the habitations which could not be included in one of the above mentioned Schemes, a third separate Scheme namely, Gore Network namely GTSNY (Gramin Tola Sampark Nischaya Yojana) is under way to be implemented to provide connectivity to the concerned



habitations having population between 100-249.

Paragraphs 7, 8 and 9 of the counter affidavit reads as under:-

“7. That at the outset it is very humbly submitted that construction of roads to provide such as Pradhan Mantri Gram Sadak Yojana (PMGSY) and MMGSY (Mukhya Mantri Gram Sampark) Yojana.

8. That it is further submitted that for Scheme under PMGSY and MMGSY Central Core Network and State Core Network respectively have been prepared and construction of roads are taken up from the list of Core Networks. Apart from that for the habitations which could not be included in the above, one scheme Gore-Network namely GTSNY (Gramin Tola Sampark Nischaya Yojana) is under way to provide connectivity to the concerned habitations having population between 100-249. Scheme for GTSNY has been selected based on satellite mapping.

9. That for habitations having populations more than 249 supplementary State Core Network has been prepared.”

It is further stated in Paragraphs 11 and 12 of the counter affidavit that Executive Engineer, Rural Works Division, Mahnar submitted a report with regard to construction of road in question to Chief Engineer, Rural Works Department, Government of Bihar. Hence, it is submitted that appropriate



action has already been taken for redressal of the grievances of the petitioner.

It is submitted by the learned counsel for the petitioner that the road in question should be constructed within a stipulated time frame.

It is expected from the respondent authorities that needful shall be done as early as possible, preferably within a period of six months from the date of receipt/production of a copy of this order.

Since, with regard to the grievance of the petitioner, positive action has been taken by the respondent authorities, we are not inclined to proceed in the matter.

The writ petition is accordingly disposed of with the direction aforesaid.

It is made clear that we have not expressed any opinion with regard to the claim and counter claim over the land in question of the private-respondent and the petitioner.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

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