

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19102 of 2018

Neeraj Kumar, Son of Yugal Kishore Pandey, Resident of House No. A/14,
Road No. 18, Rajiv Nagar, P.S. - Rajiv Nagar, Patna, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Urban Development, Government of Bihar, Patna.
4. The Chairman-cum-Managing Director, Bihar State Power Holding Company Limited BSPHCL having office
5. The Commissioner-cum-Secretary, Road Construction Department, Government of Bihar, Patna.
6. The Engineer-in-Chief, New Capital Road Division, Road Construction Department, Government of Bihar
7. The Chief Engineer, New Capital Road Division, Road Construction Department, Government of Bihar, Patna.
8. The District Magistrate, Patna.
9. The Municipal Commissioner, Patna Municipal Corporation, Patna.
10. The Superintending Engineer, New Capital Road Division, Road Construction Department, Government of
11. The Executive Engineer, New Capital Road Division, Road Construction Department, Government of Biha
12. The Executive Officer, Patna Municipal Corporation, Patna.
13. The Circle Officer, Patna Sadar, District - Patna.
14. The Senior Superintendent of Police, Patna.
15. The Superintendent of Police, Traffic, Patna.
16. The District Transport Officer, Patna.
17. The Station House Officer, P.S. Rajiv Nagar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh
For the Respondent/s : Mr.Yogendra Pd. Sinha- Aag7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



2 06-01-2020 This petition filed on 20.09.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“(i) For giving direction to the respondents to provide full Length-Width Road for Rajiv Nagar, Main Road, Patna with footpath and flanks on both sides starting from Railway Crossing upto Road No. 24 and above and connecting it with Digha-Ashiana and Ghurdaur Road near Vanaspati Maa Amandir Via House of Shekhar Photographer by taking all steps like removal of encroachments by houses, shops, boundary wall, steps of houses and shops on the road, etc., and construction of it as per the Master Plan (60 Feet but at preset it is only in and around 20 feet).

(ii) For a direction to the concerned respondents to take immediate steps to stop the sale of animal flesh, fish & poultry in open on the main Road of Rajiv Nagar which is in violation of the Patna Municipal Regulation 2014.

(iii) For a direction of shifting of vendors to vending zone as per the Act.

(iv) For a direction to remove the dustbins from the main road which is causing frequent road accidents and is also hazardous to health to the public of Rajiv Nagar.

(v) For a direction to stop the running of unregistered and unlicensed autos and rickshaws



(battery driven) drivers below the age of 18 years at the risk of life of the passengers of the residents of Rajiv Nagar.

(vi) For immediate stoppage of the running of so called 'Jugad Three Wheelers' (i.e. motor driven Thelas with Judad technique) as this type of vehicle is unlicensed/unnamed in the MV Act and is also unregistered and it is frequently seen even on the Main Roads of Patna which is in teeth of the orders passed by this Hon'ble Court.

(vii) For the construction of proper branch roads and drainage system in Rajiv Nagar.

(viii) For placement of the High Tension Electric Wires and Electric Poles at a proper place as per the plan as its installation has been intentionally disturbed at the instance of high profile residents of the area.

(ix) For a direction of stoppage of use of the mobile phones by the drivers of the vehicles at the time of driving which is causing frequent road accidents in this area.

(x) For stoppage of the pressure horns being used in the two-wheelers and music system in three wheelers.

(xi) For permanent posting of a police check post in this area as large number of people reside in this area."

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider



and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

sujit/-

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