

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18509 of 2017

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Prem Prakash Arya, son of late Om Prakash Arya, resident of Post Samharigarh, P.S. - Roh, District - Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Rural Work Department, Government of Bihar, Patna.
2. The Chief Engineer, Rural Work Dept., Patna.
3. The District Magistrate, Nawada.
4. The Executive Engineer, Rural Works Department, Rajauli.
5. The Circle Officer, Roh, District Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Meeta Sinha, Advocate
For the Respondent/s : Mr. Ajay -GA 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 14.12.2017 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(s):-

“ i) This writ application is directed against the work
order dated 04.08.2017 vide letter no.900 issued
by Executive Engineer, Rural Works
Department, Rajauli (responent no.4) addressed
to one Ravikant Kumar, Mal Godown, Patel
Nagar, Nawada whereby a direction was given
to construct road from Kuakoal to village



Gayawalibigha under Pradhan Mantri Gram Sadak Yojana (L 26 PWD) package no.BR-25R-463.

It has further been directed in the above work order to deposit security amount in the form of a NSC.

- ii) This writ application is also for a direction /directions to the concerned respondents not to execute the project in the public interest and also to make proper enquiry and spot verification in the presence of the petitioner and the other affected villagers.
- iii) This writ petition is also for a direction against letter dated 18.11.2017 vide letter no.2534 issued by District Magistrate, Nawada (respondent no.3) addressed to Circle Officer Roh (respondent no.5) directing therein to submit measurement report of affected rayati land of the villagers.
- iv) This writ petition is also for direction to the concerned respondents to opt alternative measures to connect village Gayawalibigha from nearby concrete road to avoid inconvenience to the affected villagers and to protect water flow of Samhrain Water Tributary.
- v) This writ application is also for grant of all consequential relief/reliefs to the petitioner as the Hon'ble Court may deem fit and proper in the present matter. ”

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)

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