

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6264 of 2020

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Kumar Ramesh Ranjan S/o Shiv Nandan Prasad R/o Sabalpur Paschimi Tola,
P.S.- Sonapur, Distt.- Saran, at present, Advocate, Railway Court, Sonpur,
Saran.

... .. Petitioner/s

Versus

1. The Union of India Through Secretary, Ministry of Irrigation, Govt. of India, New Delhi.
2. The Secretary, Ministry of Irrigation, Govt. of India, New Delhi.
3. Secretary National Disaster Management Unit. Govt. of India New Delhi.
4. General Manager East Central, Railway, Zone, Hajipur.
5. D.R.M., East Central Rail Sonpur Division, Sonpur, Saran.
6. The State of Bihar Through Chief Secretary, Govt. of Bihar at Patna.
7. The Chief Secretary Govt. of Bihar at Patna.
8. Principal Secretary Irrigation Department, Govt. of Bihar at Patna.
9. Secretary Disaster Management Unit Govt. of Bihar, Patna.
10. Chief Engineer Department of Irrigation Govt. of Bihar at Patna.
11. District Magistrate Saran at Chapra.
12. The Sub Divisional Officer Sonapur, Saran.

... .. Respondent/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Respondent/s : Mr. Anjani Kumar (Aag4)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-12-2020

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



"(i) To issue an appropriate writ/orders/direction in the nature of mandamus commanding and directing the respondents authorities to pass an order for construction of permanent guide wall/ring Bandh beside the river Ganga to save the life and property and its land mark of 7 (seven) Panchayat i.e. Sabalpur West, Sabalpur, Middle, Sabalpur Uttari, Sabalpur East, Nazarmira, Sahpur Diyara and Gangajal of Sonepur Block which are being merged in river Ganga due to side erosion due to flow of water which has been diverted because of construction of Jai Prakash Setu (Both railway and road bridge) since large portion of land of seven panchayats has gone into river Ganga.

(ii) To issue an appropriate writ/orders/direction in the nature of mandamus commanding and directing the respondents authorities to pass an order for rehabilitation of people whose houses has already merged into river Ganga due to side erosion of land beside River Ganga as they are compelled to live beside road."

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 filing for redressal of the grievance(s).

State has no objection to the same.

As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of eight weeks.

The concerned respondent is directed to consider and



decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

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.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing be afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, also stands
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.01.21
Transmission Date	NA

