

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5079 of 2020

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Ramendra Kumar Singh Son of Late Prithvi Nath Singh, resident of Utri Dahiyawan Tola, Near Water Tank, P.O.- Chapra, P.S.- Chapra Town, District-Saran, Pin Code- 841301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. Principal Secretary, Transport Department, Government of Bihar, Patna.
4. General Manager, East Central Railway, Ministry of Railways, Government of India, Hajipur, Bihar.
5. Chief Bridge Engineer, East Central Railway, Ministry of Railways, Government of India, Hajipur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raushan, Advocate
For the Respondent/s : Mr. Ajay Kumar Rastogi, A.A.G. 10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-03-2020 The petition filed on 04.03.2020 is listed for hearing
for the first time today before the Court.

This application has been preferred praying inter alia
for the following relief/s:

“(i) For issuance of direction order or writ,
including writ in the nature of mandamus commanding
the concerned respondent authorities to stop movement
of trucks and heavy vehicles through Digha-Sonepur
Rail Road Bridge (hereinafter referred to as “J.P.Setu”)
which has been started pursuant to the decision of State
Government from November, 2019 and it has become a



constant threat to the J.P.Setu and trucks continue to clog roads in western Patna and Sonepur which has resulted in frequent traffic congestion at both ends of J.P.Setu;

(ii) Issuance of a direction, order or writ; including writ in the nature of mandamus commanding the concerned respondent authorities under the State Government to create alternative arrangement for movement of trucks and heavy vehicles otherwise heavy load on J.P.Setu may dilapidate its condition and it is the basic lifeline for residents of North Bihar to travel to Patna Capital City after Mahatma Gandhi Setu which is still in construction phase and construction has not been completed yet;

(iii) Any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

Considering the nature of grievance raised in the application, we are of the considered view that it would be appropriate if the petitioner were to first approach the respondent authorities by way of filing representation.

The present application is, accordingly, disposed of reserving liberty to the petitioner to file appropriate representation before the appropriate authority within a period of four weeks. If such a representation is filed by the petitioner within the time stipulated, the authority concerned is directed to consider the same and dispose it of expeditiously and preferably within a period of three months thereafter. Needless to say that while considering such request, principles of natural justice



shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petitions, if so required and desired.

With the aforesaid observations, this application is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/uma/-

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