

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6583 of 2020

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Ranjeet Kumar S/o Ram Kewal, Resident of Village Shradha Chapra,
Saidabad, P.S. Ranitalab, 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 Secretary Mines and Minerals, Govt. of Bihar, Patna.
4. The Secretary Water Resources Department, Govt. of Bihar, Patna.
5. The Collector-cum-District Magistrate, Patna.
6. The Collector-cum-District Magistrate, Bhojpur at Ara.
7. The Engineer-in-Chief (Creation) Irrigation Department, Govt. of Bihar, Patna.
8. Executive Engineer, Sone Nahar, Dehri On-Sone, Sasaram.
9. The S.D.O. Sone Nahar Department, Walmi, Khagaul, Patna.
10. The Mining Development Officer, Patna.
11. The Under Secretary, Mines and Minerals Department, Govt. of Bihar, Patna.
12. Superintendent of Police (Rural), Patna.
13. Superintendent of Police, Bhojpur, Ara.
14. The Sub-Divisional Officer, Paliganj, Dist.-Patna.
15. The Circle Officer, Dulhin Bajar, Patna.
16. The Dy.S.P. Paliganj, Patna.
17. The Officer-in-Charge, Ranitalab Police Station, Patna.

... .. 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.Sujeet Kumar Gupta
For the Respondent/s : Mr.Gyan Prakash Ojha (Ga7)

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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) For directing the respondent to remove the illegal construction of road which has been made on the canal road which runs from Kanpa to Rani Talab.

(ii) For commanding the respondent authority to stop the entrance of commercial sand trucks from passing through the village road of Shradha Chapra as the illegal entrance of commercial sand vehicles which is causing air pollution as well as noise pollution in the village.

(iii) For directing the respondent to reopen the canal and Karha of the area on which road has been made illegally by the sand mafias so that the flow of water be not interrupted for cultivation of the farmers"

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

