

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6147 of 2020

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Sangita Devi (female), aged about 32 years, wife of Sri Shiv Kumar Mahto,
resident of Mohallah- Ward No. 3, Manjhauli Gram Panchayat, P.S.- Vaishali,
District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar,
Patna.
3. The Principal Secretary, P.H.E.D, Government of Bihar, Patna.
4. The Finance Secretary, Government of Bihar, Patna.
5. The District Development Commissioner, Vaishali.
6. The District Magistrate, Vaishali.
7. The Block Development Officer, Manjhauli Block, District- Vaishali.
8. The Panchayat Secretary Gram Panchayat Raj- Manjhauli, District- Vaishali.

... .. Respondent/s

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Appearance:

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Respondent/s : Mr. Sarvesh Kumar Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-06-2020

Heard learned counsel for the petitioner and learned



counsel for the respondents.

Petitioner has prayed for the following relief(s):

“(i). For direction upon the respondent authority to complete the work of piped water supply in Ward No. 3, Majhauri Gram Panchayat, Manjauri Block, District- Vaishali under the scheme of Mukhyamantri Pey Jal Nishchay Yojna through the Public Health and Engineering Department (hereinafter referred to as PHED).

(ii) For direction upon the respondent authority to supply the estimated cost of piped water supply in Ward No. 3 to the Ward Vikas Samiti.

(iii) For direction upon the respondent to transfer the fund in the account of Ward Vikas Samiti of Ward No. 3 as per estimate and recommendation of finance committee.

(iv) For direction upon the Respondent no. 6 to consider the application of the petitioner and after giving proper opportunity of hearing take decision in accordance with law.

(v) And/or for grant of any other relief or reliefs for which the petitioner is found to be entitled, in the facts and circumstances of this case.”

During the course of hearing, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the respondent authority i.e. District Magistrate, Vaishali (Respondent No. 6) to consider and decide the



petitioner's request so addressed to him (Annexure-2 and 3 series) expeditiously, in accordance with law.

Shri Sarvesh Kumar Singh learned counsel appearing for the respondent-State does not have any objection to the same.

As such, we dispose of the present petition on the following mutually agreeable terms:

(a). All issues on merits are left open.

(b) Petition is disposed of with a direction to the Respondent No. 6, namely, District Magistrate, Vaishali, to consider and decide the petitioner's communications (Annexure-2 and 3 series) expeditiously and preferably within a period of four weeks from the date of presentation of a copy of the present order.

(c) The petitioner undertakes to produce a copy of the order before the said respondent.

(d) The communications of the petitioner shall be considered and action taken, if so required, strictly in accordance with law.

(e) Liberty reserved to the petitioner to take recourse to such other remedies as are available under law, if so required and desired, on the same and subsequent cause of action.



Petition stands disposed of with the aforesaid observations/directions.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	03.06.2020
Transmission Date	

