

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6227 of 2020

-
-
1. Public Interest Litigation Forum through Secretary Shashi Bhushan Kumar Advocate, son of Late J.K. Gupta resident of Kankarbagh, P.S.- Kankarbagh, District- Patna.
 2. Manoj Mishar son of Sri Kamla Deo Mishar
 3. Shiv Deo Prasad Singh son of Sri Vishwa Nath Singh
 4. Dinesh Prasad @ D. Prasad son of Late Bhuneshwari Prasad
 5. Jagat Narayan Singh son of Late Budh Ram Singh
 6. Dharmendra Kumar son of Sri Rajendra Pd Sharma
 7. Arti Kumari Adv Daughter of Late H.N. Gupta
 8. Manoj Kr Jha son of Sri Keshav Narayan Jha
 9. Dipak Kumar son of Sri Bhola Nath Verma
 10. Manish Kumar son of Sri Lal Babu Gupta
 11. Gagan Kumar son of Late Baleshwer Prasad Singh
 12. Ganesh Prasad son of Sri Mahader Prasad
 13. Anamika Singh Daughter of Sri Mangal Dayal Singh
 14. Neeraj Kumar son of Late Girija Prasad Singh
- Petitioner No. 2 to 14 are resident of Kankarbagh, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
3. The Development Commissioner, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Divisional Commissioner, Patna Division, Patna.
6. The District Magistrate, Patna.
7. The Municipal Commissioner, Patna Municipal Corporation, Patna.
8. The Executive Officer, Kankarbagh Circle, Patna Municipal Corporation, Patna.
9. The Chief Engineer, Patna Municipal Corporation, Patna.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
Mrs. Arti Kumari, Advocate
For the State : Mr. Lalit Kishore, Advocate General
Mr. Yogendra Pd. Sinha, AAG-7
Mr. Rakesh Ambastha, A.C. to AAG-7
For the P.M.C. : Mr. Prasoon Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 06-07-2020

Petitioner has prayed for the following relief(s):

“(i). For issuance of writ of mandamus commanding the respondents not to connect the drainage of newly developed Colony i.e Ram Bilash Chowk, Sanjay Nagar, Indira Nagar, Jawahar Colony, Ram deo Mandir area etc area. Patna in the Zero Point sump House Kankarbagh, Patna which was installed for the drainage of the Kankarbagh Colony only with limited capacity.

(ii). For issuance of writ of mandamus commanding the respondents not to connect the drainage of Mithapur farm and other areas in the Zero Point Sump House Kankarbagh Colony, Patna and other at Kankarbagh Colony more as technically it will not able to drain out the water of other areas as its



capacity is limited to drain out the drain of the only Kankarbagh Colony, Patna area.

(iii). For issuance of writ for direction the respondents authorities not to connect outlet of Chirayatand, and others area to Kankarbagh Colony more drain.

(iv) For direction to the respondents authorities to complete the drainage plan starting from North of the New Bypass near Mithapur Bus stand upto to Pahari sump house to meet the water logging problem in the Patna including surrounding area of Kankarbagh, Patna and not to connect the drainage, system in question for the outer area of the main Kankarbagh Colony in very drainage system so that Kankarbagh Colony shall not be effected from water logging in rainy season.

(v) For direction to the respondents authorities to raise the height of canal from Yogipur sump house to Pahari sump House so that they carry the drain water of Yogipur sump and NBCC sump house, Kankarbagh, Patna.

(vi) For the other reliefs for which it is entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioners seeks permission to withdraw the present petition, reserving liberty to file a fresh petition on the same and subsequent cause of action.



Permission granted.

Equally, it shall be open for the petitioners to approach the respondent-authorities venting out their grievances if any, if so required and desired. We hope that on receipt of such request, the authority shall consider and decide the same expeditiously in accordance with law.

Petition stands disposed of as withdrawn in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./-

U			
---	--	--	--

