

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7847 of 2019**

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Umarendra Kumar Suman @ Umarendra Kumar Son of Rampravesh Singh  
Resident of Village- Dhawdadh, Police Station- Sasaram (M), District-  
Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Minor Water Resources Department, Government of Bihar, Sichai Bhawan, Patna.
2. The Assistant Secretary, Minor Water Resources Department, Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The Circle Officer, Sasaram, District- Rohtas.
5. The Chief Engineer, Minor Water Resources Department, Patna.
6. The Superintending Engineer, Minor Water Resources Department, Patna.
7. The Executive Engineer, Minor Irrigation Division, Rohtas at Sasaram.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Siddharth Harsh, Adv  
For the Respondent/s : Mr.Durgesh Nandan (AAG14)

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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.)

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE S. KUMAR)**



**Date : 07-12-2020**

Heard learned counsel for the parties.

Petitioner has prayed for the following relief:-

"(i) For issuance of an appropriate writ/order/direction commanding the respondents to renovate the pond in question situated at Mauza-Dhawdadh within the district of Rohtas and to ensure removal of silt from the bed of the pond and to do the needful to maintain the water level of the pond.

(ii) For issuance of an appropriate writ/order/direction commanding the respondents to ensure maintenance of the pond and channels in question in future."

This writ petition in form of PIL has been filed by the petitioner in representative capacity stating therein that in Mauza-Dhawdadh the only source of ground level water and irrigation of the field is the pond and channel over the aforesaid plots. Pond is from time immemorial and channels were constructed by the irrigation department in the year 1960-65. The gates over the channels to control the water flow do not work and the pond is filled with heavy silt and its banks are also to be repaired to hold more water. Petitioner gave several representation to respondent authorities for renovation of the pond but no action has been taken by them although need to renovate the pond has been admitted by them for which a DPR was also prepared and fund was also made available but still work was never executed.

Writ petition is disposed of with liberty to the petitioner to file a detailed representation before the **respondent no. 3**



**District Magistrate, Rohtas at Sasaram**, who shall consider the grievances of the petitioner as detailed in representation and pass necessary order within 8 weeks from the date of its filing.

Liberty is reserved to the petitioner to approach the Court afresh for the same and subsequent cause of action, if so required and desired.

**(Sanjay Karol, CJ)**

**(S. Kumar, J)**

ranjan/-

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