

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24712 of 2018

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1. Laxmi Narayan Singh, Son of Late Mohan Prasad Singh Resident of Village-Dudhaila, P.S. Andhramath, Distt.-Madhubani.
 2. Laldeo Mandal Son of Chhakan Mandal Resident of Village- Dharhara, P.S. Andhramath, District-Madhubani.
 3. Birendra Kumar, Son of Late Mohan Prasad Singh, Resident of Village-Dudhaila, P.S. Andhramath, District-Madhubani.
 4. Raj Naryan Choudhary, Son of Laxmi Narayan Choudhary Resident of Village-Dakahi, P.S. Andhramath, District-Madhubani presently Member, Jila Parishad, Lokahi, Madhubani.

... .. 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 Principal Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Divisional Commissioner, Darbhanga
5. The Collector, Madhubani.
6. The Engineer in Chief-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna.
7. The Chief Engineer, Yatayat, North Bihar, UP Bhag, Road Construction Department, Government of Bihar, Patna.
8. The Superintending Engineer, Road Construction Department, Road Circle, Darbhanga.
9. The Executive Engineer, Road Construction Department, Road Division, Madhubani
10. The Senior Project Engineer, Bihar State Bridge Construction Corporation, Works Division, Darbhanga.
11. The Assistant Engineer, Road Sub Division, Jhanjharpur, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vasudeo Ram
For the Respondent/s : Mr.Raj Ballav Pd.Yadav -Aag11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



2 07-01-2020 The petition filed on 19.12.2018 is listed for hearing for the first time today before the Court.

Heard learned counsel for the petitioners and learned counsel for the respondents.

Petitioners have prayed for the following relief/s:

“For issuance of a writ in the nature of mandamus commanding the respondents authorities to construct a high level RCC Additional Bridge between Jhauri Chowk to Bhutaha Chowk between Chainage 16.625 kilometer to Chainage 25.194 kilometer where 5 lock gate has been constructed but the same is not viable to carry on a load of flood water of Panchi River and Khairka River at the time of flood and also because the five lock gate is being constructed but the same would create hindrance and obstruction in smooth flowing of flood water deposited during the rainy season.”

After the matter was heard for some time, learned counsel for the petitioners submits that petitioners shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioners shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in



accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioners take 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.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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