

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4151 of 2020

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Lavkush Anupam Son of Late Lakshman Singh, Resident of Village-Akhlaspur, Police Station-Bhabua, District-Kaimur, Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
2. The Additional Secretary, Rural Works Department, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
3. The Engineer-in-Chief, Rural Works Department, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
4. The Executive Engineer, Rural Works Department, Division Office, Bhabua.
5. The Assistant Engineer, Rural Works Department, Division Office, Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha (Sc26)
		Mr. Subodh Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 12-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief(s):-

“(i) For issuance of a direction in the nature mandamus directing the respondents to construct the rural road namely Kori to Khaira road which is in a dilapidated condition;

(ii) And / or for any other relief(s) for which the petitioner may be found entitled to in the facts and circumstances of the present case.”

Supplementary counter affidavit has been filed on



behalf of the respondent nos.2, 3, 4 & 5 and paragraph no. 5 of which is reproduced hereinbelow:-

“That at the outset, it is humbly being brought to the notice of the Hon'ble Court that the Rural Works Department, Govt. of Bihar is committed to provide single connectively through all-weather roads to all the habitations. The single connectively is provided to link the habitation/rural population to the nearest Administrative Head Quarters such as Block Head Quarter.

Thus the claimed/demand of the petitioner that the so called road "Kori khaira Road" be constructed is not maintainable, as the village Kori and the village Khaira is already being provided the single connectively through all-weather roads to the Administrative Headquarter Town Bhabhua through the ongoing construction of road namely Khaira to Jhingai Dihra under 'Mukiya Mantri Gram Sadak Yojana (Referred in short) MMGSY Scheme. This road namely Khaira to Jhingai Dihra which is already under construction is linked/connected at Channage 0.00KM (Jhingai Dihra) to one road namely „Jhingai Dihra" via Kori Road which is connected to N.H. Road No. 2 which is connecting Mohani Town in the north and Bhabhua Town in the south. In this way the village Kori and the village Khaira both are getting single all-weather road connectively to the Administrative Headquarter Town. So the other construction or giving other connectively to both the villages is/are not maintainable. The rough sketch of the roads is being enclosed for the better appreciation of the facts.”

In view of the statement made in paragraph no.5 of the aforesaid supplementary counter affidavit, this writ petition stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.07.2021
Transmission Date	NA

