

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10146 of 2020

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Mukesh Kumar Roy S/o Shri Bindeshwar Roy, Resident of Village-Madhepura, P.S. Pandaul, District-Madhubani, Presently residing at Mohalla-Stadium Road, Town and P.S. and District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Public Health and Engineering Department, Government of Bihar, Patan.
3. The Commissioner, Darbhanga Division.
4. The District Magistrate, Madhubani.
5. The Sub-Divisional Officer, Madhubani.
6. The Executive Officer, Nagar Parishad, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Respondent/s : Mr. S.Raja Ahmad, AAG 5

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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 : 21-06-2021

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has prayed for following reliefs:-

(I) For a direction to the respondents to take
stern action for removal of rainwater from the town of
Madhubani as without coming of any flood, the citizen of
Madhubani town are bound to face problems as such they are
living in any flood affected area.



(ii) For a further direction to the respondent to take immediate action for removal of blockage over the canals situated within the town of Madhubani for discharge of water coming from the residential colonies as well as rain waters.

(iii) For a direction to the respondents to remove water from the civil court premises and the adjoining residents of judicial officials.

(iv) For a further direction to the respondents to take immediate steps either for removal of water or to operate rescue operation for the judicial officers as well as the officers of District Administration as the rain waters has now entered in their residential quarters.

(v) For any other relief or reliefs, the petitioner is entitled for.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its



filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes 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;

(f) Liberty reserved to the petitioner to approach the



Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.06.2021
Transmission Date	NA

