

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10827 of 2020

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Birendra Kumar, Son of Late Basudeo Singh, Resident of Village-Hasanpura,
P.O. and P.S.-Beur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Road and Construction Department, Government of Bihar, Patna.
3. The Executive Engineer of Beur Area, Urban Development and Housing Department, Government of Bihar, Patna.
4. The Managing Director (BUIDCO) Bihar Urban Infrastructure Corporation Ltd. Second Floor, Khadya Bhawan, Road No. 02, Daroga Prasad Rai Path, R. Block, Patna, Bihar-800001.
5. The Chairman (BUIDCO) Bihar Urban Infrastructure Corporation Ltd. Second Floor, Khadya Bhawan, Road No. 02, Daroga Prasad Rai Path, R. Block, Patna, Bihar-800001.
6. The Project Director L and T, Beur Road Project, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Respondent/s : Mr. Pawan Kumar, A.C. to A.G.

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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 : 28-06-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(i) For issuance of the appropriate writ/writs direction/directions/order/orders commanding the respondents to construct at least one way/subway (roads) from Beur More Bypass to Hasanpura in District- Patna through villager- Beur, so that the



public of this area belonging to village Beur, Hasanpura, Nathpur, Par Nadi, Betaura and new colonies may come out from their houses to go offices, Hon'ble Courts, place of jobs & businesses, hospitals schools, colleges etc. under the township of Patna; because almost all ways (1-Beur Hasanpura Old Road, 2- subsidiary colonial road through Health Institute Beur & through house of Surendra Singh & Jagdish Cement Seller) have been demolished and pending for construction at a same point of time) and aforesaid 2- subsidiary colonial roads have been demolished 5-6 years ago, and till now not constructed and those are in brutally damaged position and there are logging of dirty waters on the roads.

(ii) For issuance of appropriate writ/writs/direction/directions/order/orders, commanding the respondents to complete the construction of aforesaid roads & subways within a certain & limited periods because vehicles of public moves on these road with very much hardships, sustaining expensive damages in the vehicles.

(iii) For issuance of appropriate writ/writs/direction/directions/order/orders for which his lordship may deem fit and proper.”

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)

veena/rajiv-

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

