

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16494 of 2021

1. Mr. Anil Kumar Dubey S/o Shri Surendra Prasad Dubey Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
2. Mr. Ashok Singh @ Ashok Kumar Singh S/o Late Ramanjore Singh Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
3. Mr. Omprakash Singh S/o Late Rajendra Prasad Singh Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
4. Mr. Ravi Sharan Shrivastava S/o Late Barmeshwar Prasad Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
5. Mr. Ram Kumar S/o Late Dwadas Prasad Singh Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
6. Mr. Babloo Kumar @ Sunil Kumar S/o Shri Ram Dayal Prasad Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
7. Mr. Dilip Singh S/o Late Kripyanand Prasad Singh Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.
8. Mr. Amit Singh @ Amit Kumar S/o Shri Ram Vinod Singh Resident of Road No. 1, Omkar Chowk, Gandhi Nagar Colony, Near New Patliputra Railway Station. Patna (Bihar) - 800025.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Nagar Vikash, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. Commissioner, Patna Municipal Corporation, Patna.
4. Sub-Divisional Officer, Patna.
5. Executive Officer, Patliputra Division, Patna Municipal Corporation, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Advocate Mr. Madhav Raj, Advocate
For the Respondent/s	:	Mr.Yogendra Pd. Sinha (AAG 7) Mr. Prasoon Sinha, Advocate



CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE A. M. BADAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 25-10-2021

Petitioner has prayed for the following relief(s):

- “A.i. To take immediate steps for construction of drainage system in Gandhi Nagar, Omkar Chowk, Road No. 1, Ward No. 2 (from House of Mr. Ravi Sharan Sriastava to House of Mr. Rama Shanker Singh) situated on eastern side of New Patliputra Railway Station which comes under Patna Municipal Corporation.
- ii. To take immediate steps to drain out water being accumulated on the road/area referred above, due to rain and dirty water coming out of the houses located on both sides of the road, in accordance with provisions of Chapter XXIII of the Bihar Municipal Act, 2007.
- iii. To remove encroachment from the above referred road.
- iv. To construct a metalled/concrete road converging the full width of 20 feet as right now only 12 feet metalled road is there and 4 feet on both sides of the road are unmetalled road and are being encroached upon.
- B. To any other relief/s which the Petitioner is found entitled to.”

From the counter affidavit dated 28.09.2021 filed



by Respondent Nos. 3 to 5, it is apparent that the problem of temporary water logging stands resolved.

The water which stood accumulated on the road stands drained out.

However, the problem of water logging is perennial, which fact stands acknowledged by the State in the affidavit and more particularly para-7 thereof.

The proposal for construction of proper drain of a length of 200 ft. (approximately) is contemplated. Communication dated 24th of September, 2021 stands issued to the Executive Engineer, Patliputra Division, P.M.C.

Shri Y.C. Verma, learned Sr. Advocate for the petitioners, states that the petitioners shall be content if a direction be issued to the authorities to process the same on expeditious basis.

Shri Prasoon Sinha, learned counsel for the Patna Municipal Corporation, states that the proposal shall be prepared and placed before the sanctioning authority, positively within a period of six months from today.

The statement accepted and taken on record.

We only hope and expect the sanctioning authority to take a decision thereon on expeditious basis, in accordance



with law.

Liberty reserved to the petitioner to take recourse to such remedies as are available, should the need so arise.

The petition stands disposed of with the liberty aforesaid.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(A. M. Badar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	27.10.2021
Transmission Date	

