

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.883 of 2022

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Md. Alamgir S/o Md. Nasiruddin Biswas, Resident of Village - Basantpur,
P.S. - Amdabad, District- Katihar, Ex- chairman Mukhiya sangh Amdabad
Block, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Engineer - in - Chief, Rural Works Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Rural Works Department, Govt. of Bihar, Patna.
5. The Secretary, Rural Works Department, Govt. of Bihar, Patna.
6. The Bihar State Bridge Construction Corporation Limited, Govt. of Bihar, Patna through its Chairman.
7. The Chairman, Bihar State Bridge Construction Corporation Limited Government of Bihar, Patna.
8. The Managing Director, Bihar State Bridge Construction Corporation Limited, Government of Bihar, Patna.
9. The Senior Project Engineer, Works Division, Katihar.
10. The Divisional Commissioner, Purnea Division, Purnea.
11. The Deputy Development Commissioner, Katihar.
12. The Executive Engineer, Rural Works Department, Works Division, Manihari, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Ataur Rahman, Advocate
For the Respondent/s	:	Mr.Ajay (G.A. 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 : 04-02-2022

Heard learned counsel for the parties.

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

“That this application is being filed by way of Public Interest Litigation before this Hon’ble Court against the order dated 09.04.2021 passed by the Secretary, Rural Works Department, Govt. of Bihar, Patna (Respondent No. 5) which was communicated through Memo No. 2652 dated 25.06.2021 whereby the application filed by the petitioner as per order dated 08.12.2020 passed in C.W.J.C. No. 12301/2019 was rejected without considering the said application of the petitioner and without mentioning guideline/scheme to show that the concerned road does not come within State core network or Gram Tola Sampark Nischaya Scheme and the respondent has repeated his earlier order vide Memo No. 1739 dated 01.03.2019. Further direction may be given to respondent No. 5 to construct a bridge (in the midst of main Road, Stream of river Ganga is flowing covering 125 meters width whereon construction of bridge is essential) over the stream of river Ganga and thereafter to construct a road to connect South Karimullahpur Ward No. 1 and 2 situated within Amdabad Block with main Road N.H. 131A Hemchand High School, Kishanpur under the Gram Tola Sampark Nischay Scheme, whose total length would be about 5 kilometer.”

This writ petition has been filed against the order dated 09.04.2021 passed by the Secretary, Rural Works Department, Govt. of Bihar, Patna (Respondent No. 5), whereby the application filed by the petitioner was rejected.

Annexure-9 is the order passed by the competent authority, pursuant to the direction of this Court dated 08.12.2020 passed in C.W.J.C. No. 12301/2019, in which it has been recorded that in spite of granting several opportunities, petitioner did not appear before the competent authority to

participate in the proceedings.

As such, the present writ petition is dismissed.

However, dismissal of present writ petition shall not preclude petitioner to take recourse to such other remedies for redressal of their grievance, as otherwise available in accordance with law.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	