

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4183 of 2022

Ranjeet Kumar S/o Ravindra Prasad, R/o Ward No. 02, Chakarsalpur, N.H. 31, Near Pipal Ka Ped, Deepnagar, Chak Rasalpur, Nalanda, P.S. Deepnagar, District-Nalanda, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through the Director, Ministry of Housing and Urban Affairs, Room No. 105-C, Nirman Bhawan, Maulana Azad Road, New Delhi-110011.
2. The State of Bihar through the Secretary, Urban Development and Housing Depart. At Vikas Bhawan, Bailey Road, Patna-800001.
3. The Bihar Rajya Pul Nirman Nigam Ltd. through Chairman, Bihar Rajay Pul Nirman Nigam Ltd. 7, Sardar Patel Marg, Patna, Bihar-800015.
4. The District Magistrate, Nalanda, Collectorate Building, Biharsharif, At Nalanda, Bihar 803101.
5. The Managing Director-cum-Municipal Commissioner, Biharsharif, Biharsharif Smart City Limited (BSCL), 1st Floor, Administration Building, Biharsharif Municipal Corporation, Biharsharif, Nalanda, Bihar 803101.
6. The Project Manager, Smart City Project, 1st Floor, Administration Building, Biharsharif Municipal Corporation, Biharsharif, P.S. Bihar, Dist Nalanda, Bihar 803101.
7. The D.S.P. Traffic, Bihar Sharif, Kachahri Road, Biharsharif, at Nalanda, Bihar 803101.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate Mr. Ajit Kumar, Advocates Mr. Dinkar Kumar, Advocate
For the Respondent/s	:	Mr. Yogendra Prasad Sinha (AAG-7) Dr. K.N. Singh, ASG Ms. Prakritita Sharma, Advocate Mr. Amarjeet, Advocate Mr. Pawan Kumar, A.C. to A.G. Mr. Rabindra Kumar Priyadarshi, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs



**joined the proceedings through Video Conferencing
from their residences/offices.)**

Date : 15-04-2022

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

“i. For issuance of direction to the Respondent Nos. 3, 5 & 6 in order to set up a "Grievance Cell with Respondent No. 7 for considering the seminal importance stipulated in Paragraph No. 9 of the writ application, within stipulated time to invite pertinent and practical objection/s, difficulty/ies, straining/s, snagging/s and inconvenience/s raised loudly by the concerned citizens of Bihar Sharif with respect to proposed construction of Mini-Fly-Over (as per News Papers, the length about 1.7 KM and width about 8.9 Meter) on the Sadbhavana Marg (The Old Patna-Ranchi Road, length about 6-7 KM) under the scheme of Bihar Sharif Smart City Project, prior to serve a copy of the DPR of the said project to the Representative of the concerned Citizens.

ii. Praying for issuance of direction to take an action of show cause by the Respondent No. 2 and 4 against the Respondents Nos. 5 & 6 for discharging their respective duties as per their whims deliberately overlooking the countless sufferings of the Citizens concerned and also under hard pressure of expending funds (Due to Pandemic Period of more than one and half years the fund remained not-utilized for the scheme), kept under



ambitious Bihar Sharif Smart City Project in hush-hush manner with regard to forceful construction of Mini-Fly-Over without taking into consideration of alternative Traffic way out-route of Hardware-Hub Road and Banking-Hub Road of the Bihar Sharif City in course of expected prolonged construction time (The work completion antecedents of construction attitude of the Respondent No. 3 in Bihar is said so).

iii. For praying for stay on proposed construction of Mini-Fly-Over by issuance of direction to the Respondents Nos. 5. & 6 for reconsider with "Grievance Cell" against the actual or factual necessity of the proposed Mini-Fly-Over (Width 8-9 Meters) upon the Sadbhavana Marg (The Old Patna-Ranchi Road, same Width 8-9 Meters) with respect to the adjacent and parallel proposed Four Lane Road, Nala Road (3.5 KM), a City-Through Road, which has interconnectivities with eight links-roads parallel with Sadbhavana Road (Old Patna Ranchi Road) and also causing illegal losses to the public money.

iv. For issuance of direction to the Respondents Nos. 5. & 6 for take an opportunity with the District Traffic Police, to short out and point out day to day sufferings of Traffic Jam Points for commuters, which have Vehement Encroachment by the Encroachers upon the Sadbhavana Marg (Old Patna-Ranchi Road) and initiate a deterrent - proceedings to remove it without fail."

After the matter was heard for some time, Shri S.D.



Sanjay, learned senior counsel appearing on behalf of the petitioner seeks permission to withdraw the present petition reserving liberty to initiate appropriate proceedings in accordance with law.

Permission granted.

We have not expressed any opinion on merits. All issues are left open.

The instant petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	18.04.2022
Transmission Date	

