

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8349 of 2021

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NH-28A Balance Work of Piprakothi - Motihari - Raxaul on item rate Dist-
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India, New Delhi.
- 2.1. The Union of India through Secretary, Ministry of Road Transport and Highways, New Delhi.
- 2.2. The Secretary, Ministry of Road Transport and Highways, New Delhi.
3. The Chairman, National Highway Authority of India, New Delhi.
4. The Chief Secretary, Govt. of Bihar.
5. The Development Commissioner, Govt. of Bihar.
6. The Additional Chief Secretary, Road Construction, Govt. of Bihar.
7. The Additional Chief Secretary, Revenue Deptt., Govt. of Bihar.
8. The Principal Secretary, Finance Deptt., Govt. of Bihar.
9. The National Highway Authority G-5 and 6, Dwarika, New Delhi.
10. The Regional Officer NHAI, S.K. Puri, Patna.
11. The District Magistrate, East Champaran.
12. The District Land Acquisition Officer, East Champaran.
13. The Divisional Railway Manager, Samastipur, East Central Railway.
14. The North Bihar Power Distribution Company Ltd. through Managing Director, Patna.
15. The Managing Director, North Bihar Power Distribution Company Ltd., Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate, Amicus Curiae
For the Respondent/s	:	Mr. Dr. K.N. Singh, ASG
		Mr. Kumar Priya Ranjan, Advocate
		Mr. Anjani Kumar, AAG-4
		Mr. Pawan Kumar, A.C. to AG
		Mr. Anshay Bahadur Mathur, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER**

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)
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7 25-03-2022 The present petition, i.e., CWJC No.8349 of 2021 titled as **NH-28A Balance Work of Piprakothi - Motihari - Raxaul on item rate Vs. the State of Bihar & Ors.** was initiated on the basis of order dated 22.03.2021 passed in CWJC No.8900 of 2020, titled as **the National Highway Projects in the state of Bihar Vs. the State of Bihar & Ors.**

We notice that purely as a result of constant monitoring on all aspects, much progress with regard to the construction of NH-28A Balance Work of Piprakothi - Motihari - Raxaul has taken place.

We also notice that several affidavits stand filed by the respective parties.

Further, it is brought to our notice that now a public spirited person, a practising Advocate of this Court, has also filed a separate petition touching the very same subject matter.

As such, it is jointly prayed that the present



proceeding be closed with the progress monitored in the newly instituted petition.

We are in agreement with such submission.

Ordered accordingly.

However, we further direct that the entire record, i.e., the order-sheet(s) and the pleadings of the instant petition, i.e., CWJC No.8349 of 2021 titled as **NH-28A Balance Work of Piprakothi - Motihari - Raxaul on item rate Vs. the State of Bihar & Ors. Vs. the State of Bihar & Ors.** be placed on the file of the newly instituted petition i.e., CWJC No. 3441 of 2022 titled as **Prince Kumar Mishra versus the Union of India & Ors.**, to form part thereof.

We request Mr. P. K. Shahi, learned Sr. Advocate, to continue to assist this court as *Amicus Curiae* in the newly instituted petition.

Since Shri Anjani Kumar, Sr. Advocate, learned AAG 4, has been assisting the court on behalf of the State and its instrumentality, as such we also request him to continue to do so also in the newly instituted petition i.e. CWJC No.3441 of 2022 titled as **Prince Kumar Mishra versus the Union of India & Ors.**

In view of the aforesaid order, we close the



proceeding of CWJC No.8349 of 2021 titled as **NH-28A**
Balance Work of Piprakothi - Motihari - Raxaul on item
rate Vs. the State of Bihar & Ors.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

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