

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3138 of 2022**

Prince Kumar Mishra (NH-227A- Ram Janki Marg (Rajapatti-Faizullahpur-Chakla Section) PKG- II) Son of Awadhesh Narayan Mishra, Resident of Village- Bharpurwa, P.O. - Bharpurwa, P.S. - Vijayeeपुर, District - Gopalganj.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Ministry of Road Transport and Highway Authority of India, New Delhi.
2. The Secretary, Department of Ministry of Road Transport and Highway Authority of India, New Delhi.
3. The National Highway Authority through its Chairman.
4. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
5. The District Magistrate, East Champaran.

... .. Respondent/s

**Appearance :**

|                      |   |                                      |
|----------------------|---|--------------------------------------|
| For the Petitioner/s | : | Mr. Prince Kumar Mishra, (In Person) |
| For the Respondent/s | : | Dr. K.N. Singh, ASG (NHAI)           |
|                      |   | Mr. Marya V. Chandra, Advocate       |
|                      |   | Mr. Devansh Shankar Singh, Advocate  |
|                      |   | Mr. Shivaditya D. Singh, Advocate    |

**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 26-07-2023**

The subject matter of the writ petition relates to NH-227A- Ram Janki Marg (Rajapatti-Faizullahpur-Chakla Section, Package- II).

2. It is submitted by the learned senior counsel appearing for the National Highways Authority of India (in short 'NHAI') that earlier the proposal was to build a two lane road which has now been changed to a four lane. In the



circumstances of the modification, the NHAI is no more associated with the construction and the Ministry of Road Transport and Highways, Government of India is now at the stage of preparing a DPR. In such circumstances, the writ petition need not be kept pending is the submission.

3. It is also submitted that the proposal would be to involve the State Highway Division for the purpose of construction of the road.

4. We have also been shown the communication with respect to that.

5. In the above circumstances, we are of the opinion that the writ petition can be closed, however, leaving liberty to any of the parties including the State Government to seek for restoration, if there is further delay in the project preparation or the construction after the preparation of the project.

**(K. Vinod Chandran, CJ)**

**(Partha Sarthy, J)**

Prakash/avinash

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