

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5350 of 2023

Ishwar Chandra Prasad S/o Late Bhagwan Sah, Resident of Mohalla - Kiran Chowk Ward No. - 14, under Nagar Nigam Sitamarhi, P.S. and Dist. - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Sitamarhi, Dist. - Sitamarhi.
2. The Chairman Nagar Parishad, Sitamarhi, Dist. - Sitamarhi.
3. The Sub-divisional officer Sitamarhi Sadar, Dist.- Sitamarhi.
4. The Executive Officer Nagar Parishad Sitamarhi, Dist. - Sitamarhi.
5. Bindu Singh W/o Late Ram Nek Singh, Resident of Mohalla - Kiran Chowk ward No.- 14, under Nagar Nigam Sitamarhi, P.S. and Dist. - Sitamarhi.
6. Pramod Kumar S/o Bhanu Patel, resident of Mohalla - Kiran Chowk ward No. - 14, under Nagar Nigam Sitamarhi, P.S. and Dist. - Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Adv.
For the Resp-State	:	Md. Syed Abdul Majid, Adv.
For the MCS	:	Mr. Subodh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 28-08-2023

Heard the parties.

2. The petitioner has approached this Court by preferring the present writ application under Article 226 of the Constitution of India, seeking a direction upon the respondent-authorities to make arrangement for pump out the drainage/wastage water from the house of the petitioner as well as the local resident(s) situated therein, which has occurred owing to sewerage blockage by the private-respondents.

3. Learned counsel for the petitioner submits that for



proper disposal of drainage/wastage water, the petitioner has approached before the concerned respondent-authorities way back in the year 2014 itself, but till date the same has not been looked into and the grievance of the petitioner as well as the local residents is still subsisting. He further contended that despite repeated requests and the representations, no action has been taken, which compelled the petitioner to approach this Court.

4. On the other hand, learned counsel for the Sitamarhi Municipal Corporation submits that from the representation, it would appear that there are certain holding dues against the petitioner which is pending since long and moreover it appears that there is a private dispute between the petitioner and the private respondent nos. 5 and 6.

5. Having considered the submissions made on behalf of the parties and taking into nature of the dispute, the present writ application stands disposed of with a liberty to the petitioner to file a fresh representation before the respondent no.4, Executive Officer Nagar Parishad, Sitamarhi, within a period of four weeks from today.

6. If such a representation is filed within the stipulated period, the respondent no.4, Executive Officer Nagar Parishad,



Sitamarhi, shall consider the same and pass a reasoned and speaking order and, in course of inspection, if any water logging is found, he will take proper action to remove it within further period of eight weeks thereof.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31-08-2023
Transmission Date	

