

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8855 of 2023

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Arun Kumar Son of Surendra Singh Resident of Village- Orro, P.S.- Hasua, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The Sub Divisional Officer, Nawada.
4. The Land Acquisition Officer, Nawada.
5. The Circle Officer, Nadriganj, Nawada.
6. The Managing Director, Bihar State Road Development Corporation Ltd., PIU, Patna.
7. The Deputy General Manager, Bihar State Road Development Corporation Ltd., PIU, Rajgir, Nalanda.
8. Gaytri Construction, NH- 82, Hisua Rajgir Road, Bihar State Road Development Corporation Ltd., PIU, Bairiya, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Advocate
For Respondent 6&7	:	Mr.Lalit Kishore, Sr. Advocate
For the B.S.R.D.C.L	:	Mr. Manishdhari Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-08-2023

The writ petition, in the nature of a Public interest Litigation objects to the construction of an open drain near Basti Bigha, Bazar Wasi, Village- Oro, Tola- Basti Bigha, District- Nawada. The objection is insofar as the 10 feet deep drain being kept open and passing through a densely populated area, which also would restrict the villagers from easy access to N.H.-82. On the alternative, it is prayed that if at all a drain is dug, then it may be covered.



2. A counter affidavit has been filed which admits that there was an existing open drain along the N.H.-82 at Basti, Bigha on the left hand side of the two lane road being upgraded to a four lane one. The four lane road was constructed over the drain. It is on the demand of the local public that after widening of the road, a temporary drain was dug, parallel to the existing canal along the road. It is stated that a drain would be constructed with RCC covering. After covering the drain with RCC, it could also function as a footpath and this would provide seamless access to the N.H. for the local people. The counter affidavit indicates that the grievance of the petitioner stands mitigated.

3. Recording the undertaking in the counter affidavit, the writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

AFR/NAFR	
CAV DATE	
Uploading Date	18.08.2023
Transmission Date	

