

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20310 of 2019**

Prabhudeo Narain Verma Son of Late Hoshila Prasad, Resident of Mohalla-  
Chandmari Ekauna, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Urban Development Department, Government of Bihar at Patna.
2. The District Magistrate, East Champaran at Motihari, P.O. Motihari. of P.S. Motihari Town, District - East Champaran.
3. The Sub-Divisional Magistrate, East Champaran at Motihari, P.O. Motihari. of P.S. Motihari Town, District - East Champaran.
4. The Executive Officer, East Champaran at Motihari, P.O. Motihari. of P.S. Motihari Town, District - East Champaran.

... .. Respondent/s

**Appearance :**

|                      |   |                          |
|----------------------|---|--------------------------|
| For the Petitioner/s | : | None                     |
| For the Respondent/s | : | Mr.Kinkar Kumar (S.C.-9) |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      24-07-2023                      No one appears on behalf of the petitioner although  
the State, Nagar Parishad, Motihari are present.

The present petitioner has been preferred for the  
following relief:-

for a direction upon the respondent authorities  
to maintain the level of the road and drain under  
construction in front of the house of the petitioner  
and not to raise the height of the road and drain  
above the plinth level in front of the house of the  
petitioner causing obstruction and public-nuisance on  
the road in general and further causing obstruction in



opening the gate of the petitioner house, in particular.

As per the counter affidavit, it is not the fact that the road level has been heightened rather there was no road and for the first time the said construction was being made and the house of the petitioner was on low side and thus this writ petition has been filed on wrong facts.

The counter affidavit was put on oath on 28.1.2020 and there is no rejoinder to the same and such accepting the State version, the petition stands disposed of observing that no direction is required.

**(Rajiv Roy, J)**

Ravi/-

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