

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.575 of 2021

In

Civil Writ Jurisdiction Case No.22013 of 2018

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Rajiv Kumar Son of Tripurari Saran Singh, Resident of Village-Kanchanpur,
P.O.-Amhara, P.S.-Bihta, District-Patna, at present-Road No. 22, Plot No.
148, Sri Krishna Nagar, P.S.-Budha Colony, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Deepak Kumar, Chief Secretary, Bihar.
2. Sri Pankaj Kumar Pal, Secretary, Rural Works Department, Bihar.
3. Sri Moti Sagar Singh, Executive Engineer, R.W.D. Danapur Division, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar (In-person)

For the Opposite Party/s : Mr.Manish Kumar, In-charge AAG-5

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 02-07-2024

The present MJC is filed for non-compliance of the
orders of this Court dated 06.01.2020 passed in CWJC No. 22013
of 2018.

2. On 02.04.2024, we have passed the following orders:-

*“Pursuant to our previous
order dated 21.03.2024, Mr.
Chandan Kumar, Executive
Engineer, RWD, Works Division,
Danapur, Patna, is present in the
Court.*

*2. Perused the
supplementary show cause filed on
behalf of opposite party no.3 read
with documents (Annexures-C and
D).*



3. There is partial compliance to the extent of road construction and drainage construction has not been undertaken due to certain administrative/technical glitch to the extent that for completion of drainage construction, certain private lands were required to be utilized. There may be Statutory Provision or Policy Decision of the State Government in respect of drawing pipe line for irrigation and for public purpose. In this regard, the official respondents are hereby directed to examine the relevant documents and proceed to construct and complete the drainage within a period of three months from today.

4. Re-list this matter on 02.07.2024.”

3. In the result, Opposite Party No. 3 has filed supplementary show-cause along with Annexure-R/A to R/G. In Para 10 of the supplementary show-cause it is stated as under:-

“That in turn to the aforesaid letter the Block Development Officer, Bihta vide his letter no. 759 dated 28.06.2024 has apprised the Executive Engineer, Rural Works Department, Work Division, Danapur that 70% of the total construction work of the drain has already been done and the remaining work will be finally completed (100%) by 10.07.2024.”

4. In the light of the facts and circumstances, the present MJC No. 575 of 2021 stands dropped, reserving liberty to the



petitioner to file Interlocutory Application to revive this order, in the event of, non-compliance to Para 10. If the respondent fails to comply their own version stated in Para 10, in that event, Executive Engineer, Rural Works Department, Work Division, Danapur would be subjected to Contempt of Court proceedings under Rule 7(i) read with Form 1 of Chapter XXVIII of Rules of the High Court at Patna framed under the Contempt of Courts Act, 1971 (Act 70 of 1971) and so also we may impose exemplary cost for the reasons that orders of this Court dated 06.01.2020 is being implemented after four years.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

abhishekk/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.07.2024
Transmission Date	NA

