

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18034 of 2023

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Ajay Kumar Rai S/o Ayodhya Nath Rai, R/o Village-Ramudih, P.O. Rajpur,
P.S. Rajpur, District Rohtas, Bihar, Also at Vyas Nagar, A/9, P.O. Ashiana
Nagar, Patna, District Patna -800025.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department,
Govt. of Bihar, Patna.
2. Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector, Rohtas, Sasaram.
4. Block Development Officer, Rajpur, District Rohtas.
5. Mukhiya, Gram Panchayat Raj Siyanwank, P.S. Rajpur, District Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shiv Pratap, Adv.
For the Respondent/s	:	Mr. Prabhakar Jha, GP-27
		Mr. Umesh Narayan Dubey, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 03-09-2024 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For issuance of appropriate order/s,
direction/s including a writ preferably in the
nature of mandamus commanding the
Respondents No. 3, 4 & 5 to take appropriate
steps for re-construction of a drainage system
built in petitioner's village under 'Nali-Gali' yojna
of Respondent State, which has faulty flow and
has been constructed against the sanctioned plan/
layout, thus the same is damaging the fertility of
petitioner's agricultural land bearing Khata No.-
581, situated at Mauza-Shiyawank, Rohtas.

(ii). For issuance of a writ, order or direction in



the nature of mandamus directing the respondent no.5 to re-construct the drainage system and to carry out a survey of the entire village of Ramudih within its jurisdiction and to prepare and publish in the prescribed manner a drainage system plan for flow of the sewage in the Kav river of the village- Ramudih, P.O.-Rajpur, PS- Rajpur, District-Rohtas and submit it to Government for fresh sanction.”

2. The learned counsel for the Respondents submits that appropriate remedial measures have been taken and after repairing the drainage, a Soak Pit has been constructed, leading to the area in question being dry, at the moment.
3. However, the learned counsel for the petitioner submits that the said measures taken by the Respondents are temporary in nature and there is all likelihood of the water returning back to the land of the petitioner in question as also in the locality in question, hence, he be granted liberty to approach the District Magistrate, Rohtas at Sasaram, in case the aforesaid problem again re-occurs. Liberty, so sought, is granted.
4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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