

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19403 of 2025

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Kaushal Ray S/o Late Subalal Ray, resident of Gram Ufarpura, P.S.- Dhanaut,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Bihar, Patna.
3. The Managing Director, Bihar State Bridge Construction Nigam Limited, Patna.
4. The Chief Engineer Cum Additional Commissioner Cum Special Secretary, Road Construction Department, Bihar, Patna.
5. The Commissioner, Patna Division, Patna.
6. The Collector, Patna.
7. The Circle Officer, Phulwarisharif, Patna.
8. The Circle Officer, Danapur, Patna.
9. The Union of India through the Divisional Railway Manager, Danapur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Adv
For the State	:	Mr. Additional Solicitor General
For the U.O.I.	:	Mr. Dr. Chandra Shekhar Azad, CGC
For BSBCN Ltd.	:	Mr. P.K. Shahi, Sr. Adv
		Mr. Vikas Kumar, Adv

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 09-02-2026 This writ petition has been filed by the petitioner

Kaushal Ray in the nature of Public Interest Litigation seeking

for the following reliefs:

*“For a direction to the
Respondents to give connectivity to Main*



Road from (Tamtam Padaau) Anisabad Jagdeopath Road after constructing diversion on the North-East of Railway Under-Pass, which has been temporarily developed for connectivity of the people for the period the main Under-Pass is constructed over Railway Crossing No.33 between Phulwarisharif Railway Station to Danapur Junction for smooth and easy connectivity of people at large of the said locality.”

2. A counter affidavit has been filed by respondent no. 3, Sanjiv Kumar, Senior Project Engineer, Bihar Rajay Pool Nirman Nigam Limited, Patna-1 wherein in paragraph nos. 5,6, 8 and 10, it is stated as follows:

“5. That at the outset, it is submitted that the present writ petition is totally misconceived as the answering respondent have already given connectivity to Main road from (Tamtam Padaau) Anisabad Jagdeopath Road after constructing diversion on the North East of Railway Under Pass which has been temporarily developed for connectivity of the people for the period main under Pass.

6. That due to ongoing under pass work across railway line, proper diversion



has been provided for giving connectivity one side of Railway Line to other side of railway People crossing across the Railway Line through this diversion. Once the under pass work is completed this under pass will be used for crossing across the Railway Line.

8. That the statement made in Para 2 is misconceived, misleading and contrary to the facts of the case. Proper diversion has been provided for giving connectivity one side of Railway Line to other side of railway. People crossing across the Railway Line through this diversion. Once the under pass work is completed this under pass will be used for crossing across the Railway Line and at present there is inconvenience in crossing the Railway line through the Diversion constructed for this purpose. A site sketch is being enclosed for proper appreciation of the matter.

10. That in reply to the statement made in Para 5 to 7 of the writ petition, it is submitted that one diversion has been provided on the western side of the under construction Under Pass and movement of traffic is smooth though this diversion. It is technically not possible to construct any diversion on the eastern side of under pass due to railway line throughout. Diversion on



*western side was possible at the location of
an old bridge/damaged bridge.”*

3. Though the learned counsel for the petitioner has filed the rejoinder affidavit to the counter affidavit disputing the stand taken by the respondent no. 3, Sanjiv Kumar but since limited scope is available in writ jurisdiction, we are not inclined to enter into this disputed question of fact and after going through the stand taken by the respondent no. 3, Sanjiv Kumar, we are not inclined to pass any further order in this writ petition.

4. Accordingly, the present writ petition is disposed of.

(Sangam Kumar Sahoo, CJ)

(Alok Kumar Sinha, J)

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