

(2013) 07 PAT CK 0121
In the Patna High Court
Case No : CWJC No.9628 of 2013

Tapeshwar Singh

APPELLANT

Vs

Bihar Rajya

RESPONDENT

Date of Decision : 19-07-2013

Acts Referred:

Citation : (2013) 4 BLJud 34

Hon'ble Judges : Navin Sinha and Vikash Jain, JJ.

Bench : Division Bench

Final Decision : Disposed Off

Judgement

Navin Sinha, J. (Oral)—Heard Counsel for the petitioners and the State.

2. The relief sought in this Public Interest Litigation is for construction of a bridge at Nawada Gosai Bigha, Kunj Ohari over Sakri river.

3. Learned Counsel for the petitioners invites our attention to a site inspection report of the Assistant Engineer, Rural Works Department dated 19.3.2012.

The report states that it was a hilly river which gets flooded during monsoon. It becomes very difficult for villagers to cross and many of them have lost their lives in the process including loss of animal lives. During summer when there is no water, the bed consists of only sand which gets extra ordinarily heated up making it difficult for humans and animals to go across. In absence of bridge during the rainy season the residents are completely cut off from the District headquarters at Nawada. The bridge shall cater to at least 10 Panchayats estimated to have a population of one lakh in the year 2002.

4. It is submitted that despite estimate having been prepared on more than one occasion the bridge had not been constructed.

5. In view of the inspection report discussed above, we consider it proper to direct the State Government in the Rural Works Department to consider the matter appropriately in accordance with law and take necessary action as

deemed fit and proper within a maximum period of three months from the date of receipt/production of a copy of this order.

6. We may clarify that the period fixed by us is for the purpose of the decision in principle and not for the actual construction itself. Should the respondents opine that the bridge was required to be constructed, it goes without saying that it has to be done expeditiously.

7. The Public Interest Litigation stands disposed.