

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8209 of 2023

Lalan Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh, Advocate
Mr. Chandan Kumar, Advcate
For the Respondent/s : Mr. P.K.Shahi, Advocate General
Mr. Prabhu Narayan Sharma, AC to A.G.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2023 The petitioner in the Public Interest Litigation claims to be a public spirited citizen and the social worker interested in the maintenance of orderliness in the society has filed the present Public Interest Litigation for following reliefs :-

- (I) For the issuance of an appropriate writ in the nature of Public Interest Litigation directing the Govt. of Bihar to black list the firm namely S.P. Singla Construction Pvt. Ltd., which was entrusted the task of construction of 23.16 KM. long four lane Sultanganj Aguani Ghat Bridge, out of which 3.16 K.M. long bridge is being built across the river Ganga since 2nd May, 2015 at the estimated cost to the tune of Rs.1710 crores, part of the bridge has collapsed twice in approximately fourteen month due to faulty structural design and sub- standard material being used in construction.
- (II) For further direction to the respondent state to pay the adequate compensation immediately to the nearest member of family of a guard of the Pvt. Firm in question, who has gone missing after bridge collapsed on 4.6.2023.
- (III) For further direction to probe/conduct enquiry into collapse of part of the four lane Aguani Ghat – Sultanganj Bridge by an Hon’ble Sitting Judge of Hon’ble Patna High Court as enquiry will reveal everything and will put the report in black and white for the public at large.



2. This Court is shocked by the collapse of constructed part of bridge on 4.6.2023 being constructed over river Ganga to connect the Sultanganj, Bhagalpur district and Aguni Ghat in Khagaria district. Last year also, while the construction work was going on some structure of the bridge had collapsed on 13.04.2022.

3. The Bihar Rajya Pool Nirman Nigam Ltd. after open bid had handed over the contract for construction of four lane bridge to connect Bhagalpur district and Khagaria district to the company namely M/S S.P. Singla Construction Private Ltd. The estimated cost of construction of the bridge as informed is Rs.1710 crore. As per several new newspaper reports, cause of collapse is that the pillars could not support the load of the super structure. It is also reported in the newspapers that the Indian Institute of Technology (IIT), Roorkee has submitted its investigation report in which the defects in design of the bridge have been reported. The project had started in the year, 2014 and was scheduled to be completed in the year, 2019.

4. The news report reveals that immediate action has been taken by the State Government.

5. This Court is concerned to safeguard the interest of public at large and to prevent the misuse of public money and



the exploitation of natural resources in the interest of society and the common people, which has been caused due to laxity of the authority of the State Government and the Contractor. To prevent the interest of the public, this Court finds it proper at this stage to direct M/S S.P. Singla Construction Pvt. Ltd. to submit its study report relating to construction work carried out at the bridge construction site with respect to following details:—

- (i) The total length of the bridge.
- (ii) The nature of stream flowing into the site.
- (iii) The nature and behaviour of soil strata for foundation.
- (iv) The construction problems existing with bridges.
- (v) The impact on the environment as a result of collapse.
- (vi) Detailed Project Report (D.P.R.) of Bridge constructing planning relating to ground survey including the Geologist certificate giving details of the geo-strata. The report relating to the profile of the Ganga river bed at the site, its rock type and foundation found beneath the site over which the construction of the Bridge has been approved by the Geologist and the Civil Engineer.
- (vii) Soil exploration-foundation details submitted by the approved scientific body of the State Government and the Central Government.
- (viii) Hydrological data- including design report approved by Central Government Agency and the State Government Agency of the expert of the Indian Institute of Technology.
- (ix) Model studies and suitable structure found proper for the construction of Bridge over the location where the bridge is presently being constructed.
- (x) Purchase receipt of materials used in the construction work of the Bridge till date.
- (xi) GST paid on purchase of materials used in construction work and its return filed for the period 2014 to 2023.



(xii) Fee incurred in obtaining expert reports from different Firm/Agency before starting of the construction work of the Bridge and thereafter from time to time.

(xiii) The Company is also directed to produce audited balance sheet and its annual report submitted before the Registrar of the Company relating to the present project from 2014 till March, 2023.

6. This Court finds that the State Government has taken the matter of collapsing of the bridge seriously and has also taken action against its authorities and the Company.

7. The State Government is directed to submit its action taken report on the next date of hearing.

8. The Managing Director of M/S S.P. Singla Construction Pvt. Ltd. must be present in the Court in person along with his Expert Team on 21.06.2023 at 10.30 A.M.

9. Re-notify this case on 21.06.2023 at 10.30 A.M. before the appropriate Bench.

(Purnendu Singh, J)

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