

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4963 of 2014

In

Civil Writ Jurisdiction Case No. 14715 of 2013

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Mahadeo Jha, son of Ramchandra Jha, resident of village Ganaur, P.S. Ghanshyampur, Dist. Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. Vivek Kumar Singh, Principal Secretary, Ministry of Environment, Govt. of Bihar, Patna
3. Kumar Ravi, District Magistrate, Darbhanga
4. Humain Khan, Joint Secretary, Department of Mines & Geology, Govt. of Bihar, Patna
5. Rakesh Kumar, Bihar State Pollution Control Board through its Chairman, BELTRON Bhawan, Patna
6. Bodh Narayan Bimal, District Mining Officer, Darbhanga
7. Chandrashekhar Singh, Circle Officer, Gora Boram, Darbhanga
8. M/s. Hira Ita Udyog through its proprietor Shashidhar Jha, situated at village Aadharpur, P.S. Ghanshyampur, Dist. Darbhanga
9. U.S.Jha, Member Secretary, State Environment Impact Assessment Authority (SEIAA), Bihar

.... Opp. Parties

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Appearance :

For the Petitioner/s : Mr. Amish Kumar, Advocate

For the Respondent No.4: Ms. Binita Singh, Advocate

For the State : Mr. Deepak Sahay Jamuar, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

2 08-04-2015 Heard learned counsel for the petitioner and learned counsels for the State and for the Bihar State Pollution Control Board.

The contempt application has been filed for wilful disobedience and non-compliance of the order dated 20.11.2014 passed in CWJC No. 14715 of 2013 and MJC No. 1536 of 2014.

From a perusal of the order under contempt it appears that by the said order the petitioner was only granted liberty to approach either the Authority which had issued a clearance certificate and consent order or the appellate authority in accordance with law for revocation of the clearance, consent order. It is evident that no direction was issued to any of the opposite parties for violation of which the petitioner can approach this Court.

The contempt application is dismissed.

The petitioner, in case any fresh cause of action has arisen or arises to him, shall have liberty to take recourse to appropriate proceedings before appropriate forum.

(Ramesh Kumar Datta, J)

(Anjana Mishra, J)

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