

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12449 of 2012

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Nishat Azima D/O Shaiyad Ali Asraf, W/O Ekwat Zahir Resident Of
Mohalla - Gareriya Khand, P.S. - Jehanabad Sadar, District - Jehanabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Jehanabad
3. The Executive Officer, District Board, Jehanabad
4. The S.D.O. , P.H.E.D. Jehanabad
5. The Executive Engg. P.W.D. Jehanabad
6. The Executive Officer, Nagar Parishad, Jehanabad

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh
For the State		Mr. Pawan Kumar AC to GA 9
For the Zila Parishad		Mr. Nikesh Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 06-10-2015 Heard counsel for the petitioner, State as well as the
respondent-Zila Parishad.

Under the Swachta Abhiyan the public toilets are to be constructed. The land on which the respondents propose to construct the public toilet(s) belongs to the Zila Parishad and not of the petitioner. The writ petition has been filed stating that the respondents propose to construct the public toilet(s) in front of the house of the petitioner.

A counter affidavit has been filed by the respondent no.4 stating therein that the public urinal complex already existed on the plot in question which was in dilapidated condition. The

respondents with the approval of the District Board selected the said plot/location for construction of public toilet(s).

Another contention of the petitioner is that the said plot is very near to the house of the petitioner and shall be a nuisance. Such dispute, in my view, cannot be appreciated in the writ jurisdiction of this Court. The application is dismissed. Be it noted that the respondents have stated that the plot/location of the toilet is far off the house of the petitioner.

Dismissal of this application shall however not preclude the petitioner from ventilating her grievance before the appropriate authority in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

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