

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4113 of 2009

Chhaya Sarkar through its Joint Secretary Rabindra Kumar, Advocate,
Patna High Court, S/o Late Ram Bilash Singh, resident of Mohalla
Kilchipur, PO Dighaghat, PS Digha, District Patna

.... Petitioner

Versus

1. The Union of India through Cabinet Secretary, Government of India,
New Delhi
2. The Cabinet Secretary, Government of India, New Delhi
3. The Secretary, Ministry of Water Resources Department, Union of
India, New Delhi
4. The National Disaster Management Authority through its Chairperson,
Govt. of India, New Delhi
5. The Chairperson, The National Disaster Management Authority, Govt.
of India, New Delhi
6. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old
Secretariat, Patna
7. The Chief Secretary, Govt. of Bihar, Old Secretariat, Patna
8. The Principal Secretary, Water Resources Department, Govt. of Bihar,
Sichai Bhawan, Patna
9. The State Disaster Management Authority through its Chairperson,
Govt of Bihar, Patna
10. The Chairperson, The State Disaster Management Authority through its
Chairperson, Govt of Bihar, Patna

.... Respondents

Appearance :
For Petitioner/s : Mr. Brajesh Kumar, Advocate

For the State of Bihar: Mr. Anjani Kumar, Sr. Advocate, AAG 6
For the Union of India: Mr. Kumar Priya Ranjan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

21 19-01-2015

The petitioner approached this Court with a prayer to direct the respondent authorities in this case to prepare and implement the Disaster Management Plan as contemplated under the Disaster Management Act, 2005. It is pleaded that on account of there being no full-fledged Plan, loss of life and property is occurring as and when the State is hit by disasters like flood and other natural calamities.

This Court took up the matter and issued directions from time to time, for the past six years. The State prepared a Plan as contemplated under Section 23 of the Disaster Management Act and it was submitted to this Court. The petitioner was directed to make its suggestion and even that was done more than once. This is evident from the latest supplementary counter affidavit dated 26.6.2014 which is 13th, in the series. It was clearly mentioned that suggestions made by the petitioner to the draft Plan have been considered and incorporated in the Plan, to the extent permissible under the Act.

With this, the purpose of filing this writ petition stands served. It is directed that the Government shall implement the Plan so prepared by it, as and when any disaster takes place in the State.

The writ petition is disposed of.

(L. Narasimha Reddy,CJ)

(Gopal Prasad, J)

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