

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15262 of 2014

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Dilip Kumar Mishra, Son of Late Krishna Chandra Mishra, Resident of Village - Ladari, P.O. - Samaila Lalganj, P.S. - Keoti Runway, District-Darbhanga.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Disaster Management, Govt. of Bihar, Patna.
3. The District Magistrate, Saharsa, District- Saharsa.
4. The District Magistrate, Supaul, District - Supaul.
5. The District Magistrate, Purnea, District- Purnea.
6. The District Magistrate, Darbhanga, District- Darbhanga.
7. The District Magistrate, Samastipur, District- Samastipur.
8. The District Magistrate, Madhubani, District- Madhubani.
9. The District Magistrate, Begusarai, District- Begusarai.
10. The District Magistrate, Araria, District- Araria.
11. The District Magistrate, Katihar, District- Katihar.
12. The District Magistrate, Bhagalpur, District- Bhagalpur.
13. The District Magistrate, Muzaffarpur, District- Muzaffarpur.
14. The District Magistrate, Sitamarhi, District- Sitamarhi.
15. The District Magistrate, Sheohar, District- Sheohar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate
For the Respondents : A.C. to PAAG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-05-2015 The petitioner claims to be a resident of Darbhanga district. He filed this writ petition with a prayer to direct the respondents herein to keep them prepared to meet the flood situation, particularly in the northern part of the State of Bihar, with relief and other materials.

It is submitted that on account of unpreparedness of

the concerned agencies, extensive loss of human lives and damage to the properties occurred; and that it is better to be prepared well in advance, to avoid the damage.

The respondents filed counter affidavit opposing the writ petition. It is stated that there are clear-cut procedures to deal with the flood situation and various agencies are working at the relevant point of time.

Heard learned counsel for the petitioner and the learned counsel for the State.

A general prayer in the form of requiring the respondents to prepare themselves to deal with the flood situation is made.

The petitioner did not indicate the steps to be taken up. It is important to note that, much would depend upon the nature of the event as well as the intensity thereof. In the recent past, the Central Government has also formed the teams of Disaster Reserve Force. Such teams are working in the State of Bihar also. Each agency has its own code of conduct. It is only when the petitioner is able to point out that the concerned agencies are not adhering to the norms and code of conduct, that this Court can issue specific directions in this behalf. At the same time, the respondents can be reminded of the duties to

meet such situations.

The writ petition is, therefore, disposed of with an observation that the respondents shall ensure that any natural calamities and disasters are handled effectively, as and when they occur.

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

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