

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10646 of 2013**

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Suraj Prakash Roy S/O Late Babu Lal Roy, Ward Councillor, Ward No. 37, Katihar  
Municipal Corporation, Katihar, Binodpur, Katihar

.... .... Petitioner

Versus

1. The State of Bihar Through its The Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna
3. The District Magistrate, Katihar
4. The Superintendent of Police, Katihar
5. Station House Officer, Sahayak Nagar P.S.- Katihar, District- Katihar
6. The Chairman, Electricity Board, Patna
7. Secretary, Electricity Board, Bailey Road, Patna
8. The Chief Engineer (Civil), Electricity Board, Patna
9. The Project Manager, T.R.W. Cum General Manager, Electricity Board, Patna
10. The Superintending Engineer , Purnea Circle, Electricity Board, Purnea
11. The Executive Engineer T.R.W. Katihar Binodpur, Power House, Katihar
12. The Superintendent Engineer, Purnea (Bihar State Electricity Board)
13. The State Home Guard (Fire)
14. The State Pollution Board

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. S S Sundaram  
For the State : Mr. Ajay, SC XI  
For the Respondent/s : Mr. Vinay Kirti Singh

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 11-03-2015**

The petitioner claims to be Councillor of Ward No.37 of Katihar Municipal Corporation. He filed this writ petition in public interest with the prayer to direct the respondents herein to shift the Transformer Repairing Unit from the existing place. It is stated that in the year 2011 a major fire accident took place causing threatened danger to the residents in the nearby locality and the respondents are trying to expand the Unit ignoring the safety measures. Reference is

made to the writ petition filed earlier before this Court on this aspect.

The respondents filed a detailed counter affidavit. They submit that in CWJC No.4494 of 2013 this Court declined to interfere and just liberty was given to the petitioner there to submit representation. It is stated that considering various aspects of the matter, the Chairman has rejected the representation through order dated 12.4.2013. They have further submitted that adequate steps may be taken to prevent any fire accident in future.

Heard Sri S S Sundaram, learned counsel for the petitioner and Sri Vinay Kirti Singh, learned counsel for the respondent-Board.

This is not a case where the respondents are trying to establish a Transformer Repairing Unit for the first time. The unit was existing for the past several decades. Unfortunately, a fire accident that took place in the year 2011 is being cited as to the present repairing unit as potential threat to the entire locality. We are not at all satisfied with the plea taken by the petitioner. The repair of transformers is essential to ensure proper power supply. Shifting of the unit would involve huge cost and that cannot be undertaken simply to satisfy the ego of the persons like the petitioner.

We, therefore, dispose of the writ petition by observing that the respondents shall take all possible measures to ensure that no fire accident takes place in the Transformer Repairing Unit.

**(L. Narasimha Reddy,CJ)**

**(Vikash Jain, J)**

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