

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.301 of 2016

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Hira Das Son of Late Dasu Das, resident of village- Babudih, P.S.- Bounsi,
District- Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary, Department of Revenue, Government of Bihar, Patna
3. Principal Secretary, Department of Art and Culture, Government of Bihar, Patna
4. Commissioner, Bhagalpur Division, Bhagalpur
5. Collector, Banka
6. Superintendent of Police, Banka
7. Sub Divisional Magistrate, Banka
8. Deputy Superintendent of Police, Banka
9. Circle Officer, Bounsi, Banka
10. Officer In charge, Police Station, Bounsi, Banka

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate
Mr. Rajiv Kumar Singh

For the State Mr. Mohan Kumar Singh, AC to SC 5

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 14-01-2016 Heard Mr. Narayan for the petitioner and the
counsel for the State.

Considering the relief prayed in this writ
application, this Court would not notice the submissions of
the party.

The respondent State, it is stated, organized Boiunsi
Mela on the eve of Makarsakranti every year. The petitioner
applied for permission to run the theater at the ensuing
Bounsi Mela which has commenced from today. The only

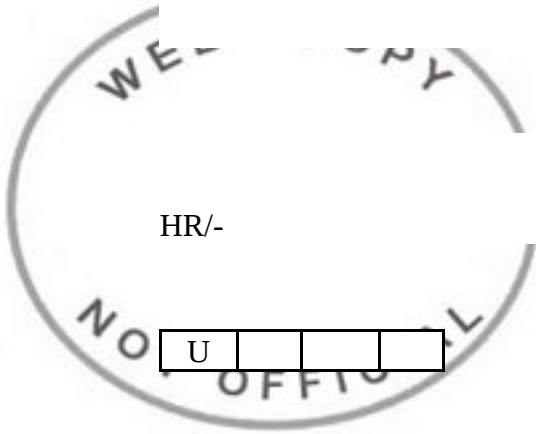


grievance raised thorough this writ application is that the respondent, particularly the Sub Divisional Magistrate, Banka has not passed any order on his application. It has been submitted that running of theater is not prohibited under law. The petitioner would be ready and willing to run the theater on the terms and conditions on which running of such theater was permitted by the authority in the recently organized Sonepur Mela.

Counsel for the State, on the other hand, on the basis of the instruction, submits that the documents as required for consideration of such claim have not been supplied by the petitioner. On the contrary, Mr. Narayan submits that the documents, as requested by the authority, have already been furnished.

Be that as it may, considering the facts and circumstances of the case, the writ petition is disposed of directing the respondent, particularly respondent-Sub Divisional Magistrate, Banka to take appropriate decision on the application of the petitioner. Once all required documents are furnished, the said authority shall take such step as quickly as possible, preferably within 07 days therefrom.

Counsel for the State undertakes to inform the concerned respondent about the said order.



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(Kishore Kumar Mandal, J)