

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8299 of 2016

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M/s New Gopal Int. Udyog at Mauza Bela Belhi, Betaunha Village through its Proprietor Dileep Kumar Mahto, S/o Sri Laxmi Narayan Mahto, resident of Village, P.O. and P.S.- Jainagar, Ward no. 1, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Collector cum District Magistrate, Madhubani.
2. The Circle Officer, Jai Nagar, District- Madhubani.
3. The Superintendent of Police, Madhubani.
4. The Dy. S.P. Jai Nagar, District- Madhubani.
5. The Officer in charge, Jai Nagar Police Station, District- Madhubani.
6. The Chowkidar, Jai Nagar Police Station, District- Madhubani.
7. The District Industries Officer, Madhubani.
8. The District Manager, District Industries Centre, Madhubani.
9. The Chairman (Sri Subhash Chandra Singh), Bihar State Pollution Control Board, Belton Bhawan, Shastri Nagar, Patna-23.
10. The Member Secretary, Bihar State Pollution Control Board, Patna.
11. The District Mining Officer, Madhubani, District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Gupta

For the Respondent/s : Mr. Vivek Prasad, GP-18

Mr. S.K. Saraf, AC to GP-18

For the Pollution Control Board: Mr. Shivendra Kishore, Sr. Adv. with
Ms. Binita Singh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 20-05-2016 It is stated at the Bar by Mr. Shivendra Kishore, learned senior counsel appearing for the Bihar State Pollution Control Board that the petitioner has taken recourse to the alternative remedy of appeal filed under section 31 of the Air (Prevention and Control of Pollution) Act, 1981 bearing Appeal No.21 of 2016 which is pending before the Board of Revenue and thus the petitioner cannot pursue two remedy for the same relief.

The position is admitted by Mr. Kameshwar Prasad Gupta, learned counsel appearing for the petitioner.

In the circumstances, this writ petition is disposed of leaving it open for the petitioner to pursue his remedy pending before the Member, Board of Revenue, Patna.

(Jyoti Saran, J)

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