

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14241 of 2017

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1. Mahesh Sharma, S/o Late Dhanraj Sharma, R/o Azad Hind, Krishna Kunaj, Arya Kumar Road, Machhua Toli, P.S.- Kadamkuan, District- Patna.
2. Mukesh Kumar Sharma, S/o Late Sri Jadunandan Sharma, R/o Mohalla- D.C.-23, P.C. Colony Kankarbagh, P.S.- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Home Affairs, New Delhi.
2. The State of West Bengal through the Chief Secretary at Kolkata.
3. The State of Bihar through the Chief Secretary, New Sectariat at Patna.
4. Ms. Mamta Banerjee, The Chief Minister of West Bengal, Kolkata.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Sharma and Mr. Mukesh Kumar Sharma (in person)

For the Respondent/s : Mr. Lalit Kishore, A.G.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-10-2017

The petitioners appear in person.

This petition has been filed in Public Interest under Article 226 of the Constitution of India and the petitioner seeks a mandamus or any other appropriate writ or order to the following effect:-

To direct all the T.V. channels indicated in the body of the writ petition to furnish to the petitioner news clippings of certain statement made by the Chief Minister of West Bengal and her reaction to certain orders passed by the Calcutta High Court in the



matter of revocation or imposing ban on immersion of Durga Idol during the Durga Puja festival. The further prayer is to issue notice to the Union of India, Ministry of Home Affairs directing them to take cognizance of the statement made by the Chief Minister and take action against her and further to take action for contempt against the Chief Minister for the statement made by her.

Having heard the petitioners who appear in person, and on taking note of all the grievance made by them, we are of the considered view that for something done in the State of West Bengal by the Chief Minister of the said State, who is respondent no. 4 to this writ petition, this Court does not deem it appropriate to initiate action exercising its extra-ordinary jurisdiction under Article 226 of the Constitution that also in a petition in the nature of a public interest litigation. In case the petitioners have any grievance with regard to the matter, he may invoke the jurisdiction of a competent court within the territorial limit of which the so-called alleged action is said to have been committed, or if the petitioners feel that the acts amounts to contempt they may have the liberty to take recourse to the remedy in accordance with law. But, in the facts and circumstances of the present case we are not inclined to exercise our extra-ordinary jurisdiction in this petition in the nature of a public interest litigation.



With the aforesaid observations, and liberty available to the petitioners, the writ petition stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mrl

AFR/NAFR	NAFR
CAV DATE	N.A.
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