

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8905 of 2016

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Surendra Kumar Singh, aged about 66 years, son of Shri Sukhadeo Singh, resident of Rajiv Nagar Road No. 4, Keshri Nagar, Patna - 8000024, District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The Station In-charge, Rajiv Nagar Police Station, Patna.
5. The Chairman, Bihar State Pollution Control Board, Government of Bihar, Beltron Bhawan, Shastri Nagar, Patna - 800023.
6. The Member Secretary, Bihar State Pollution Control Board, Government of Bihar, Beltron Bhawan, Shastri Nagar, Patna - 800023.
7. The Assistant Environment Engineer, Bihar State Pollution Control Board, Government of Bihar, Beltron Bhawan, Shastri Nagar, Patna - 800023.
8. Shri Jagdish Singh, aged about 65 years, son of not known, resident of Rajiv Nagar Road No. 1, Keshri Nagar, Kurji locality, Patna.
9. Shri Gopal Singh, aged about 52 years, son of not known, proprietor of poultry farm operational in Rajiv Nagar Road No. 1, Keshri Nagar, Kurji locality, Patna.
10. The District Magistrate, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ankit Katriar, Adv.

For the Respondent/s : Mr. Rajiv Kumar Singh, GP2

For respondents no. 5 to 7: Mr. Shivendra Kishore, Sr.Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 10-11-2017

Heard learned counsel for the parties.

The petitioner complains against illegal operation of the poultry farm at the behest of the private respondents and though served, they have not chosen to register appearance.

The grievance raised by the petitioner in this writ petition has been noted by the authorities of the Bihar State Pollution



Control Board (hereinafter referred to as 'the Board') and the owner of the poultry farm has also been noticed by 'the Board' as back as on 5.9.2016 which is mentioned in the affidavit filed on behalf of the Board who accept that the proceeding has been initiated but thereafter the Board has gone silent and rather have shifted the responsibility on this Court to pass appropriate order for its closure.

I fail to appreciate the stand of 'the Board' in abdicating its responsibility to take the proceeding to its conclusion. abdicate

Without commenting further on the laidback action initiated, for the present I would only direct the Chairman of the respondent Board to take the proceeding so initiated vide Annexure R/5-G to the counter affidavit to its conclusion in accordance with law and by giving opportunity of hearing to the concerned parties and an expeditious disposal preferably within three months from the date of receipt/ production of a copy of the order would be appreciated.

The writ petition is allowed with the directions aforementioned.

(Jyoti Saran, J)

Surendra/-

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