

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4212 of 2015

Jhuggi Jhopri Kamgar Majdoor Union

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

Civil Writ Jurisdiction Case No. 2370 of 2016

Babita Kumari

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

Civil Writ Jurisdiction Case No. 7511 of 2017

Gudiya Kumari

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 4212 of 2015)

For the Petitioner/s : Mr. Arun Kumar No. 1

For the Respondent/s : Mr. Abdul Kalam, AC to AAG-12

For P.M.C. Mr. Prasoon Sinha, Advocate

(In Civil Writ Jurisdiction Case No. 2370 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. ANJANI KUMAR- AAG6

For P.M.C. Mr. Prasoon Sinha, Advocate

(In Civil Writ Jurisdiction Case No. 7511 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Anjani Kumar, AAG-4

Mr. Anil, AC to AAG-4

For P.M.C. Mr. Bindhyachal Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



Date : 13-09-2017

These petitions have been filed in public interest by the Jhuggi Jhopri Kamgar Majdoor Union inter alia contending that the State Government and the Patna Municipal Corporation are trying to dislodge and remove 130 families who are staying in Jhuggi Jhopris (little huts) in the area in question and while doing so, the policy of the State Government for rehabilitation of the dwellers is not being fulfilled.

It is stated that the State Government has formulated a scheme known as ‘Sabke Liye Awas (Shahri)’ wherein before displacement of such persons, rehabilitation has to be undertaken. It is stated that without conducting any rehabilitation process, the family members staying in the area are being displaced.

A counter affidavit has been filed by respondent No.4, Patna Municipal Corporation, and in para 4 they make a categorical statement that no steps, whatsoever, have been undertaken by the Patna Municipal Corporation for removing the persons from the area. The State Government has also filed a counter affidavit and indicate that the Secretary of the Department concerned has already issued communications filed as Annexure A series for taking steps for rehabilitation of



persons before their removal from the area in question after due survey and taking action as per the scheme.

Be that as it may, from the material available on record it is evident that, as on date, no steps for removal or displacement of the dwellers from the area in question are being undertaken and the petitions have been fled in anticipation that they would be removed.

That being so, we are not inclined to interfere into the matter. The State Government and the Patna Municipal Corporation shall ensure that before the dwellers of 130 families are removed from the area, the policy of the State Government is given effect to.

With the aforesaid these petitions are disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	16.9.2017
Transmission Date	

