

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12619 of 2015

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1. Vijay Kumar Gupta S/o Late Gopal Sao, Resident of village- Deodharpur, Tekari, Ward No. 13, New P.S.- Tekari, District- Gaya
 2. Subhash Yadav @ Subhash Kumar Kaushal, Late Krishna Prasad, Resident of village- Jai Nandan Bigha, P.S.- Tekari, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through its Director General Archaeological Survey Department, Government of India, New Delhi
3. The Superintendent, Archaeological, Government of India, Bihar Range, Patna
4. The Chief Secretary, Govt. of Bihar, Patna
5. The Secretary, Department of Art, Culture and Youth Work, (Archaeological Directorate), Government of Bihar, Patna
6. The Director cum Deputy Secretary, Art, Culture and Youth Work, (Archaeological Directorate), Government of Bihar, Patna
7. The District Magistrate, Gaya
8. The Superintendent of Police, Gaya
9. The Additional Collector, Gaya
10. The Sub-Divisional Officer, Tekari, Gaya, District- Gaya
11. The Deputy Superintendent of Police, Gaya, District- Gaya
12. The Circle Officer, Tekari, District- Gaya
13. The Station House Officer, Tekari, District- Gaya
14. The Nagar Panchayat, Tekari, Gaya through its Executive Officer
15. Kaushal Kishore Sharma S/o Ram Briksh Singh Village- Tekari, P.S. Tekari, Distt- Gaya.

.... Respondent/s

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Appearance :

For the Petitioners	:	Mr. Bishnu Kant Dubey, Advocate
For the State	:	Mr. Bishwa Bibhuti Kr. Singh, AC to PAAG-1
For U.O.I.	:	Mr. Awadhesh Kr. Pandey, Sr. C.G.C. Mr. R.K. Sharma, C.G.C.
For the Intervenor	:	Dr. K.N. Singh, Sr. Advocate Mr. Utsav Kumar, Advocate



Mr. Apurva Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-05-2017

In this Public Interest Litigation filed, the petitioners had made a complaint with regard to preserving a heritage site known as “Tekari Estate Quila” situated in district Gaya.

The matter is being considered today after various orders have been issued from time to time and finally on the basis of directions issued by this Court, an affidavit after action taken has been filed by the respondents on 30th of March, 2017 along with Annexure-A. The report of the Circle Officer, Tekari, Gaya, dated 24.03.2017, which indicates that the protection has been granted to the Quila and the Talab surrounding therewith and once this has been done, no further indulgence into the matter is called for. The water body is being preserved as is evident from the counter affidavit and if the petitioners want preservation of any further building existing in the area, it is for the petitioners to take up the same with the competent authority under the statutory rule and it is for the competent authority i.e. the Archaeological Department to issue directions in this regard, if warranted under law.

As far as present petition is concerned, keeping in view



the report submitted by the Circle Officer, we are satisfied that the heritage site, as is required under law, is already protected.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	16.05.2017
Transmission Date	

