

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14125 of 2017

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Kamal Kishore Pathak

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Respondent/s : Mr. Suman Kumar, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-09-2017

Inter alia contending that a mandamus be issued to

the respondents to shift the date for immersion of Idol of goddess

Durga from 30th September 2017 to 2nd October, 2017 on account

of various reasons mentioned in the writ petition.

This petition has been filed in Public Interest seeking mandamus to shift the immersion of Idol of goddess Durga. The question involved in the matter is not covered by any statutory or any constitutional provision, which can be interfered by this Court and a mandamus issued. It is an issue pertaining to maintain of law and order and public discipline in the matter of conduct of a festival and we are not inclined to interfere in the matter, as the relief claimed in the writ petition is beyond jurisdiction under Article 226 of the Constitution.



With the aforesaid, the application stands disposed of. However, liberty shall be available to the petitioner to take up the issue with the authorities of district administration and it is for them to proceed with the matter.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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