

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8267 of 2018

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Sanjay Kumar, Son of Uttam Chandra Yadav, Resident of Mohalla- Gaura Garh, Ward No. 28, P.O- Biharsharif, P.S.- Biharsharif, District- Nalanda at Biharsharif, presently Member of Empowered Standing Committee, Biharsharif Municipal Corporation.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner- cum-Secretary, State Transport Authorities, Bihar, Patna.
3. The Joint Commissioner- cum-Joint Secretary, Regional Transport Authority, Patna Division, Patna.
4. The District Magistrate, Nalanda at Biharsharif, District Nalanda at Biharsharif.
5. The District Transport Officer, Nalanda at Biharsharif, District - Nalanda at Biharsharif.

.... Respondents

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Appearance :

For the Petitioner/s : Ms. Anita Kumari, Advocate
Mr. Shashi Bhushan Kumar Mangalam, Advocate
Mr. Ravi Ranjan, Advocate
For the Respondent/s : Mr. Ajay Kumar Rastogi- AAG10

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 15-05-2018

This Public Interest Litigation has been preferred

for quashing of letter dated 06.03.2008 issued under the

signature of Joint Commissioner-cum-Joint Secretary,

Regional Transport Authority, Patna Division, Patna

(Respondent No. 3) whereby and whereunder respondent no. 3

has directed the respondent no. 4 to take appropriate action for

start of the operation of Buses from Kargil Bus Stand since all

basic facilities for operation of the Buses has now been made



available in the said Bus Stand.

The petitioner claims himself a Ward Councillor of Bihar Sharif Municipal Corporation. He is said to have been nominated as member of the Empowered Standing Committee of the said Municipal Corporation. A preliminary objection has been taken on behalf of the State against maintainability of the present writ application in form of Public Interest Litigation at the instance of the petitioner.

It is submitted that the petitioner being Ward Councillor has his own political and vested interest in pursuing this litigation. It is submitted that no member of the public has come forward to challenge the impugned letter/direction.

Having heard learned counsel for the petitioner and learned counsel representing the State, we find from tone and tenor of the statement made in the writ application that according to the writ petition the matter relating to transfer of the Bus Stand was subject matter of consideration in the meeting of the Empowered Standing Committee held on 26.02.2018. There seems to be certain disputes over the decision taken by the Empowered Standing Committee and the decision impugned in the present application. The nature of dispute brought before this court by the present petitioner is



not in the nature of Public Interest Litigation and hence we refrain from exercising our power of entertaining *pro bono* litigation at the instance of the petitioner in the given facts and circumstances.

The writ application has no merit, it is, accordingly, dismissed.

(Rajendra Menon, C.J.)

Rajeev/-

(Rajeev Ranjan Prasad, J.)

AFR/NAFR	NAFR
CAV DATE	NA
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