

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6696 of 2018

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Pramod Kumar Son of Nagdev Ram Resident of Village- Kadokhari, P.O.
Gosaidihi, P.S. Nabinagar and District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Department of Forest and Environment,
Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reform, Govt. of
Bihar, Patna.
4. The District Magistrate, Aurangabad.
5. The Senior Deputy Collector, Namely Sri Sudhir Kumar Jha, Aurangabad.
6. The Chief Managing Director, N.T.P.C its Head office at New Delhi.
7. The Chief Executive Officer, Namely Sri Shiv Kumar Bhartiya Rail Bijlee
Company Ltd. (A Joint Venture of N.T.P.C. and Indian Railway) its head
Officer

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ani Kr. Jha, Sr. Adv. Mr. Anirudh Kumar Verma, Adv.
For the Respondent/s	:	Mr. Gyan Prakash Ojha- GA 7
For NTPC		Mr. S.D. Sanjay, Addl.S.G. Mr. Kumar Manish, Adv. Mr. Ankit Katriar, Adv. Mrs. Priya Gupta, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



7 05-12-2019 This application has been preferred praying inter alia
for the following relief/s:

“For direction to the concerned authorities to take step against the Chief Executive Officer of the B.R.B.C.L. who has deliberately and intentionally misappropriated the Public Property i.e. the metal stone chips, Morang etc. excavated from the Ghirshindi Pahad (Mountain) by selling and using improperly that amount criminal act for personal benefit without the sanction of the department of Forest.”

Learned Additional Advocate General states that the present petition, apart from being motivated, is absolutely frivolous.

Refuting such submissions, Shri Anil Kumar Jha, learned Senior Advocate, invites our attention to the report of the Collector whereby after initial enquiry it is directed that perhaps the matter needs to be enquired further.

This report, according to the learned Additional Advocate General, stands controverted in view of the subsequent enquiry got conducted by the Principal Secretary, Department of Environment and Forest, Government of Bihar.

After the matter was heard for some time, learned Senior Counsel, appearing for the writ-petitioner, submits that



the petitioner shall be content if a direction is issued to the District Authorities to consider and decide the petitioner's request which the petitioner shall be making within four weeks from today.

Prayer accepted.

Leaving all questions open, we direct the appropriate authorities, including the Principal Secretary, Department of Environment and Forest, Government of Bihar, to consider and take a decision on the petitioner's request/representation expeditiously and in accordance with law.

The application is disposed of with the liberty.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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