

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3589 of 2019

Purushottam Kumar, Male, aged about 51 years, son of Sri Sachchidanand Prasad, resident of Moh- East Nandgola, Chhoti Mandir, Adarsh Colony, P.O.- Madhavmill Nagla, Patnacity, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Forest and Environment, Government of Bihar, Patna.
3. The Collector, Patna Collectorate Compound, Patna, District- Patna.
4. The Bihar State Pollution Control Board, Parivesh Bhawan NSB- II Patliputra Industrial Area, Patna, through its Member Secretary.
5. The Chairman, the Bihar State Pollution Control Board, Parivesh Bhawan NSB- II, Patliputra Industrial Area, Patna.
6. The Member Secretary of the Bihar State Pollution Control Board, Parivesh Bhawan NSB- II, Patliputra Area, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Adv.
For the Respondent-State:		Mr. Anshuman Singh, AC to AG.
For the Respondent-Board:		Smt. Binita Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 12-03-2019

Heard learned counsel for the parties.

The grievance of the petitioner is that certain industrial units are operating in between Pahari to Fatuha in the district of Patna in complete violation of the pollution norms provided under the different parliamentary enactments regulating the issue of pollution, be it air, water and environment.

It is being put on notice that a counter affidavit is being filed on behalf of the Pollution Control Board (hereinafter referred to as 'the Board') and the statement made by them at



paragraphs 6 and 7 of counter affidavit read alongside the chart present at Annexure 'B' is sufficient indication of the fact that 'the Board' has taken note of the issue raised by the petitioner to act thereon. This stand of 'the Board' yet not satisfies the petitioner and we can understand the reasons from the statement present at paragraph 5 of the counter affidavit which informs that the unit of the petitioner on being found committing such violation was closed and even the appeal has been dismissed.

Mr. Abhay Kumar Thakur, learned counsel appearing for the petitioner submits that the number of violators are even more and not restricted to 45 units but for such purpose we would allow the petitioner to inform 'the Board' as to the other units which are found wanting compliance of the pollution norms and it goes without saying that 'the Board' would consider and dispose of the same accordingly.

With the observation above, the writ petition is disposed of.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Anjula/skpathak

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.03.2019
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