

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11252 of 2019

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Banwari Lal Dalaniya S/o Late Prabhu Dayal Dalaniya Resident of
Manaskamnanath Chowk,K.B. Lal Road,P.S. Nath Nagar,Dist.-Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Ministry of Home, Govt. of Bihar
3. The Secretry, Public Health Engineering Department, Govt. of Bihar
4. The Commissioner, Bhagalpur
5. The District Magistrate, Bhagalpur
6. The Principal, Constables Training School,Nathnagar,P.S. Nath Nagar,Dist.-
Bhagalpur
7. The Superintendent of Police, Bhagalpur
8. The Superintending Engineer, P.W.D. Building Division,Bhagalpur
9. The Circle Officer, Nathnagar,Dist.-Bhagalpur

... .. Respondent/s

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with
CIVIL REVISION No. 62 of 2014

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Raj Kumar Mehta and Ors.

... .. Petitioner/s

Versus

Abhishek Kumar and Ors.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 11252 of 2019)

For the Petitioner/s : Mr.Kulanand Jha, Adv.

For the Respondent/s : Mr.S. Raza Ahmad,AAG5

(In CIVIL REVISION No. 62 of 2014)

For the Petitioner/s : Mr.Binoy Kumar, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 09-08-2019



Our order dated 15.07.2019 records the concern of the petitioner as regarding the issue of public lavatories and the pond for use of the general public though situated within the boundary wall of constable training school, Nathnagar in the district of Bhagalpur.

We have heard Mr. Alok Kumar Chaudhary, learned counsel for the petitioner and Mr. S.Raza Ahmad for the State.

We have taken note of the division bench order passed in the Civil Rev. No. 62 of 2019 as well as the undisputed fact that a complaint on violation of the said order has not been found favour by a division bench while disposing the contempt application bearing M.J.C. No.4959 of 2018 but the thing which puts a quietus to this continued dispute is a letter dated 08.03.2018 of the Joint Secretary, Building Construction Department addressed to the Principal Secretary, Home Police Department which is placed on record at Annexure-R/2 of an affidavit filed on behalf of the District Magistrate, Bhagalpur in Civil Review No. 62 of 2014 which is in reference to an order passed by the division bench on the civil review application dated 9.2.2018 and confirms that the process for transfer of the land in question to the Home, Police



Department, has been completed.

In such view of the matter where the land in question belonging to the State has changed hands from P.W.D to Home Police Department as confirmed from the letter in reference there is nothing left in the public interest litigation which invites our opinion because certainly the general public cannot be permitted to enter the protective boundary of the Constable Training School.

It is noted that Civil Review No.62 of 2014 is a disposed of case but has been inadvertently listed today by misreading our order dated 15.07.2019 .

With the observations above, we dispose of this writ petition

(Jyoti Saran, J)

(Partha Sarthy, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.08.2019
Transmission Date	NA

