

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22909 of 2019

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Hiralal Rai, S/O- Jhagru Rai, resident of Mohalla - Defense Colony,
Raghurampur, P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India, through its Secretary, Department of Defense, New Delhi.
2. The Defense Estate Officer Danapur, Danapur, Patna.
3. The Major General Bihar Jharkhand - Cum - Area Commander, Danapur Cantonment, Danapur, Patna.
4. The Commanding Officer, Bihar Regimental Centre, Danapur, Patna.
5. Cantonment Board, Danapur through its Chief Executive Officer, Danapur, Patna.
6. The Chief Executive Officer, Cantonment Board, Danapur, Patna.
7. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
8. The Sub-Divisional Officer, Danapur, Patna.
9. The District Board through its Executive Officer, Patna.
10. The District Magistrate, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar, Adv.
For the Respondent/s	:	Mr.Lalit Kishore (AG)
For U.O.I.		Mr. S.D. Sanjay, Addl. S.G.
		Mr. Kumar Priya Ranjan, CGC

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-11-2019

The petitioner has prayed for the following relief :-

“That the petitioner is invoking the writ jurisdiction of this Hon’ble Court through Public Interest Litigation for issuance of writ in the nature of mandamus directing the respondent authorities, of Danapur Cantonment



for removing the obstruction created by them from using the main approach road for the residents of New Defense Colony, Raghurampur, which is causing much inconvenience to the residents of the colony as well as the children of 130 ex-army personnel.”

Learned counsel invites our attention to an order passed by 15725 of 2019 titled as Dharmendra Kumar Vs. The State of Bihar & Ors.) which is reproduced hereunder:

“Heard learned counsel appearing for the respective parties.

In this case, the petitioner has filed a supplementary affidavit, attaching the information provided under the Right to Information Act, from where it appears that the Army has done the fencing work over protection embankment for safety and security of training area.

Any fencing done over the land of the State Government, that has to be looked into by the authority of the State Government, in no way concern to public as it is not causing any inconvenience into the traffic or public in general.

In such view of the matter, we are not proposing to proceed further in the matter. Accordingly, this writ petition is disposed of.”

In view of the same, we find the issue to be



squarely covered by the said judgement.

The petition is disposed of in similar terms.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

K.C.Jha/-

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