

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3568 of 2017

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Rajesh Kumar Singh Son of Sri Lal Babu Singh, resident of village-
Chakhelal, Block P.S.- Bochaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Industry Department, Government of Bihar, Patna.
3. The Bihar State Pollution Control Board, Patna through the Managing Director.
4. The District Magistrate, Muzaffarpur.
5. The Regional Officer, Bihar State Pollution Center Board, Muzaffarpur.
6. The Sub-Divisional Officer, Muzaffarpur East, Muzaffarpur.
7. The Circle Officer, Bochaha, District- Muzaffarpur.
8. Maa Baishnav Food Factory, through its Partner, Vikram Singh and Rajan Kumar Singh, resident of Village- Chakelal, P.S.- Bochaha, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the State : Mr.Yogendra Prasad Sinha-AAG7

For the Bihar State Pollution Control Board: Mr. Shivendra Kishore,Sr advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-01-2020 Heard Mr. Krishna Kant Singh, the learned counsel

for the petitioner, and Mr. Shivendra Kishore, the learned senior

counsel for respondent No. 3 and 5. Counter affidavit has been

filed on behalf of respondent No. 4, 6 and 7.

The petitioner, in this writ petition, seeks direction to

the respondents to take suitable action against Maa Vaishnav

Biscuit Factory, Chakelal, Bochaha, Muzaffarpur which is

established by violating all norms and is emanating smoke and

polluting the area thus making the area hazardous for the people



of the vicinity. The petitioner has filed representation before the Regional Officer, Bihar State Pollution Control Board, Muzaffarpur but the same is still pending.

Mr. Shivendra Kishore, the learned senior counsel for the Bihar State Pollution Control Board submits that petitioner may take recourse to Section 133 of the Cr. P. C. instead of filing petition before the Regional Officer, Bihar State Pollution Control Board, Muzaffarpur.

The Bihar State Pollution Control Board is obliged to look into the matter and ensure that no such industrial unit may spread pollution.

Having considered the facts, I dispose of this writ petition with a direction to the Bihar State Pollution Control Board to look into the representation of the petitioner and dispose of the same within four months from the date of receipt of this order.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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