

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9077 of 2020

Md. Karim Uddin Siddiqui Son of Md. Ayub Siddiqui resident of Sapan
Apartment, Flat No. C/3, 1st Floor, Naya Tola Khajanchi Road, Patna-4

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Urban Development Department, Government of Bihar
3. The Commissioner, Patna Division, Patna
4. The District Magistrate, Patna
5. The D.D.C. Patna Collectrate, Patna
6. The Chairman Nagar Parishad, Phulwarisharif
7. The Executive Officer, Nagar Parishad, Phulwarisharif
8. The City Commissioner, Patna Municipal Corporation, Patna
9. The S.D.O. Sadar, Patna
10. The Circle Officer, Phulwarisharif Circle, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anwar Karim, Adv
For the Respondent/s : Mr. Y.P. Sinha, AAG-7

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 14-12-2020

Heard learned counsel for the parties.

Petitioner has prayed for the following relief:-

"That this writ application is being filed in the representative capacity by way of Public Interest Litigation espousing the cause of people of the locality of Phulwarisharif (Kurkuri). This writ application is being filed



for commanding the respondents particularly the respondent District Magistrate as also the Chief Executive Officer, Nagar Parishad Phulwarisharif to shift the garbage dump yard from Phulwarisharif Kurkuri to any other place immediately in order to take preventive measure for not spreading any other disease, This writ application is also being filed for restraining the respondents from construction of boundary wall of the garbage dump yard."

After the matter was heard for sometime, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the **respondent no. 7 Executive Officer, Nagar Parishad, Phulwarisharif**, to consider and decide the representation with respect to grievances raised in such representation.

Learned counsel for the respondent states that if such representation is filed before the **respondent no. 7 Executive Officer, Nagar Parishad, Phulwarisharif**, same shall be considered and decided within a period of two months from the date of receipt of such representation in accordance with law.

Equally liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

Liberty reserved to petitioner to approach the court, if



the need so arises subsequently on the same and subsequent cause of action.

The writ petition is accordingly, disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

