

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12135 of 2015

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Rakesh Kumar Singh son of Mahendra Singh Resident of village - Chamrhra,
Police Station - Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Disaster Management, Old Secretariat, Bihar, Patna.
3. Principal Home Secretary, Old Secretariat, Bihar, Patna.
4. Director General of Police, Wing, Old Secretariat, Bihar, Patna.
5. District Magistrate, Near Gandhi Maidan, Patna.
6. State Fire Officer cum Director, Patna Fire Station Campus, Lodipur, P.O.
G.P.O., Patna - 800001.
7. Patna Municipal Corporation through its Chairman.

... .. Respondent/s

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

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Ojha, Adv
Amicus Curiae : Mr.Prabhat Ranjan, Adv
For the Respondents : Smt. Shilpa Singh GA-12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 15-12-2020

Heard learned counsel for the parties.

Prayer of the petitioner in this writ application reads as
follows:-



“(I) To initiate an enquiry in all the Cinema Halls including the Veena Cinema situated at Station Road, Patna, regarding the maintenance of the safety norms specially with regards to fire and also steps taken by such cinema halls for combating the situation in case of a natural calamity or digester.

(II) For a direction to the respondent authorities to ensure maintenance of also safety norms required to combat digester both natural as well as man made.

(III) In case of non compliance of safety norms, to shut down such cinema hall which do not adhere to the safety norms required.”

Writ petition was filed in form of Public Interest Litigation to conduct an enquiry with respect to non compliance of statutory fire norms as well as lack of fire safety instruments in cinema halls in the town of Patna.

It is an admitted fact that due to ensuing Pandemic COVID-19, all cinema halls have been shut down for last many months by the order of Central/State Government and to re-open cinema halls, permission of the District Magistrate, who is the licensing authority is required to be obtained and it is expected that District Magistrate will permit re-opening of the cinema halls only after ensuring that fire safety norms are fully complied by the owners of cinema hall.

The writ petition is disposed of reserving liberty to the petitioner to take recourse to such alternative remedies as are



otherwise available in accordance with law.

Equally, liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
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