

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9591 of 2020

Gaurav Kumar Singh, Son of Anjani Kumar Singh, Resident of Flat No.-302,
Shashi Sudama Niketan, Road No.-02, Rajendra Nagar, P.O.- Rajendra Nagar,
P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Directorate General of Civil Aviation (DGCA), Aurobindo Marg, Opposite Safdarjung Airport, New Delhi.
2. The Eastern Region, Directorate General of Civil Aviation (DGCA) through the Deputy Director General.
3. The Deputy Director General, The Eastern Region, Directorate General of Civil Aviation (DGCA).
4. The Airports Authority of India (AAI) through its Director, Rajiv Gandhi Bhavan, Safdarjung Airport, New Delhi.
5. The Airports Authority of India, J.P.N.I. Airport Patna through its Director, Patna, Bihar.
6. The Director, Airports Authority of India, Jay Prakash Narayan International Airport (J.P.N.I.), Patna, Bihar.
7. The State of Bihar through the Chief Secretary, Government of Bihar at Patna.
8. The Environment and Forest Department, Government of Bihar at Patna through the Principal Secretary, Bihar at Patna.
9. The Principal Secretary, Environment and Forest Department, Government of Bihar, Bihar at Patna.
10. The District Magistrate, Patna, District- Patna.
11. The District Magistrate, Gaya, District- Gaya.
12. The Commissioner, Patna Division, Bihar at Patna.
13. The Commissioner, Patna Municipal Corporation, Patna, Bihar at Patna.
14. The Divisional Commissioner, Magadh, Bihar at Patna.
15. The Senior Superintendent of Police, Patna, Bihar at Patna.
16. The Senior Superintendent of Police, Gaya, Bihar at Gaya.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh, Advocate
For the Respondent/s : Mr.Dr. K. N. Singh (ASG)
Mr. Anshuman Singh, CGC

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

Date : 23-12-2020

Petitioner has prayed for the following relief(s):

“I. For issuance of writ, order or direction in the nature of Mandamus for an interim direction to the concerned authorities especially to the Airport Authority of India, Patna and Gaya, Bihar and Director General of Civil Aviation (D.G.C.A.), Eastern Region to take immediate steps for the expansion of runway of Patna and Gaya airport; on the ground that runway is short and poses an imminent threat and many warnings have also been given with regard to the danger associated with the short runway of the airport;

II. That the present writ application is being filed for the issuance of writ, order or direction in the nature of Mandamus to command and direct



the concerned authorities especially to the State of Bihar through the Chief Secretary and Airport Authority of India (AAI) to decide the ongoing dispute as soon as possible concerning the cost of the land for the expansion of runway of Patna and Gaya airport; on the ground that such delay will result into a foreseeable accident;

III. For issuance of writ, order or direction in the nature of Mandamus to command and direct the concerned authorities to develop and additional intersecting runway and the said intersecting runways cross or meet each other within their length; on the ground that many airports across the globe have developed the intersecting runway, including the Chhatrapati Shivaji Maharaj International Mumbai Airport;

IV. For the issuance of writ, order or direction in the nature of Mandamus to command and direct the concerned authorities especially to the Patna Municipal Corporation, Patna, Bihar to take strict action against the persons involved in operating unlicensed meat shops, animal



slaughterhouses in open space, strew garbage in the vicinity of the airport, selling of fish and other activities that attract birds within 10 km radius of the airport and further to shut down illegal slaughterhouses, vending zones and other activities, which is running in Phulwarisharif area, adjoining the airport and also relocate the trees that are causing hindrance to the flights, as they posed the serious risk to passenger lives;

V. And for issuance of any other relief or relief(s) for which the petitioner is entitled for.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

State has no objection to the same.

As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of four weeks.



The concerned respondent is directed to consider and decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

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

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

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

We have not expressed any opinion on merits.



The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	26.12.2020
Transmission Date	

