

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8541 of 2020

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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 Ministry of Health and Family Welfare, New Delhi.
2. The State of Bihar through the Chief Secretary, Government of Bihar at Patna.
3. The Principal Secretary, Public Health Engineering Department, Government of Bihar at Patna.
4. The Principal Secretary, Health Department, Government of Bihar at Patna.
5. The Principal Secretary, Forest and Environment Department, Bihar at Patna.
6. The Managing Director, Bihar State Road Development Corporation Limited, Bihar at Patna.
7. The Central Bureau of Investigation through the Superintendent of Police, Bihar at Patna.
8. The Central Reserve Police Force through the Inspector General of Police, Bihar at Patna.
9. The Civil Surgeon, Bhojpur at Ara.
10. The Medical Officer In-charge, Primary Health Care, Koilwar.
11. The District Magistrate, Bhojpur, District- Ara.
12. The Superintendent of Police, Bhojpur, District- Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sumeet Kumar Singh
For the Respondent/s	:	Mr.Dr. K.N. Singh (ASG)
		Mr.Sarvesh Kr.Singh, AAG-13

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 16-10-2020 Petitioner has prayed for the following relief(s):-

“I. That the present writ application is being



filed in the nature of Public Interest Litigation for the issuance of writ, order or direction in the nature of Mandamus to command and direct the respondent authorities to stop the construct of Engineering College on the land of mental hospital or near the hospital premises and also shift/remove the Central Reserve Police Force (C.R.P.F.) from 25-30 acre of land that has been given by the State of Bihar of the Koilwar Mental Hospital, on the ground that the said land i.e. 120 acres of land has been allotted for the construction of Mental Hospital;

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 respondent authorities especially the Principal Secretary, Health Department, Government of Bihar at Patna to not allow any activities on the land of Mental Hospital; on the ground that it is contrary to the proposal given by the State Government before Hon'ble Supreme Court in W.P.(C) No.334 of 2001 vide affidavit dated 28.06.2002;

III. 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 Central Bureaus of Investigation (CBI) to enquire the whole matter that by whose permission the State Government has given 25-30 acre of land to the CRPF and 8 acres of land for the construction of Engineering College, on the ground that the State Government has given Affidavit before the Hon'ble Supreme Court in W.P.(C) No.334 of 2001 vide affidavit dated 28.06.2002;



IV. 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 respondent authorities especially the Principal Secretary, Health Department, Government of Bihar at Patna to expand the Mental Hospital at Koilwar with all the amenities that is available in the other Mental Hospital of India and further mention all the initiative on the website that has been taken for the welfare of the patient and to implement the Mental Healthcare Act, 2017 in Bihar;

V. 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 respondent authorities to prohibit any activities within two km of the hospital that will effect the health of the patient and further to develop the surround in such a manner that will not cause any inconvenience to the people, such as repair the road, plantation of more trees, etc;

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

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall either approach the Hon’ble Supreme Court or represent to the Chief Secretary, Government of Bihar, requesting him to comply with the undertaking furnished, with respect to the land in question, before Hon’ble the Supreme Court, in relation to which matter is still pending.



Liberty is granted.

Petition stands disposed of with the aforesaid liberty.

(Sanjay Karol, CJ)

(S. Kumar, J)

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