

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24835 of 2019

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Rajendra Narayan Singh, S/o- Late S.S.P. Sinha, R/o- 186, Patliputra Colony,
P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The Under Secretary, Urban Development Department, Government of Bihar, Patna.
4. The Patna Municipal Corporation, Patna.
5. The Municipal Commission, Patna Municipal Corporation, Maurya Lok, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Roona, Advocate
For the Respondent/s : Mr.Subhash Prasad Singh (GA 3)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-12-2020

Petitioner has prayed for the following relief(s):

- “(i) For a direction upon the Respondents to check unplanned growth at the bank of river Ganga, Punpun and Sone in Patna district where unregulated constructions are coming up in breach of guidelines of the National Green Tribunal.
- (ii) For an order, direction or appropriate



writ commanding the respondents to take final decision so far as approval and implementation of Master Plan along the river bank is concerned and further to fix and demarcate the line of river at Patna within which construction is not permissible.

(iii) For a direction upon the Respondents to bring an end to uncertainty by policy decision which is prevailing in the light of direction of the National Green Tribunal whereby construction within certain limit from the river bank has been forbidden and it has been left open to the State Government to take final decision in this regard and as such master plan approved in the year 2016 is not being implemented for want of demarcation line of the river Ganges.

(iv) Any other order/orders for which the petitioner is found entitle to in the facts and circumstances of the present case.”

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).

As such, petition is disposed of with the direction to respondent Nos.1, namely Chief Secretary, Government of Bihar, and Respondent No. 2, namely Principal Secretary, Urban Development Department, Government of Bihar, to consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

It is clarified that 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 rises 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)

(Partha Sarthy, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.12.2020
Transmission Date	

