

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20255 of 2018

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Rajiv Pathak Son of Shri Brinda Pathak, resident of Block B. Mahavira
Apartment, Near Jahazi Kothi, Kadam Kuan, Patna- 800003.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. The Home Secretary, Govt. of Bihar, Patna.
3. The Director-General of Police, Bihar.
4. The Inspector General of Police, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Superintendent of Police, Patna.
7. The District Magistrate, Patna.
8. The Deputy Superintendent of Police (Law and Order), Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate

For the Respondent/s : Mr. P.K. Verma- AAG 3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 08.10.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:

“ a) For issuance of a writ or order or direction upon



the respondents specially the authorities of the local administration in Patna town and district to ensure prohibition of movement of marriage processions in all the major public roads/routes like exhibition Road, Fraser Road, Gandhi Maidan, Chajjubagh, S P Verma Road, Rajendra Path, Kadam Kuan, Bakerganj, Dak Bunglow Road, Ashok Raj Path, Nala Road, Budh Marg, Boring Road Raza Bazar, Jagdeo Path etc. which causes serious obstruction and problem in one of the most fundamental requirement of daily life of the citizens;

- b) For issuance of a writ or order or direction upon the respondents to ensure complete prohibition of use of high volume/wattage speakers, vulgar and obscene dance demonstrations by persons engaged specially for such performance publicly which becomes a cause of traffic congestion for hours together in the main routes as well as in the narrow streets, colonies and lanes in the town;
- c) For issuance of a writ or order or direction upon the respondents to frame, adopt and publish necessary guidelines to be followed by all subordinate authorities in the town and district of Patna so as to ensure no movement of marriage processions and performance of vulgar and obscene dance demonstrations across all the main routes of Patna town in order to protect and safeguard the normal movement of traffic in the town and also to ensure no obstructions and problems faced by the ordinary public on road while in movement from one place to another;



- d) For a further issuance of a writ or order or direction upon the respondents to take serious action against those violating such guidelines/rules to the detriment of the ordinary public on road;
- e) For issuance of any other writ or order or direction as may be deemed fit and relevant in the facts and circumstances of this 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 making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

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.



The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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