

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9006 of 2021

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 State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Department of Water Resources, Government of Bihar at Patna through the Principal Secretary, Bihar at Patna
3. The Principal Secretary, Department of Water Resources, Government of Bihar, Bihar at Patna
4. The Department of Forest and Environment, Government of Bihar, Bihar at Patna through the Principal Secretary, Bihar at Patna
5. The Principal Secretary, Forest and Environment Department, Government of Bihar, Bihar at Patna
6. The Department of Revenue and Land Reforms, Government of Bihar at Patna through the Principal Secretary, Bihar at Patna
7. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Bihar at Patna
8. The Member Secretary, Bihar Pollution Control Board, Bihar at Patna
9. The Chairman, Bihar Pollution Control Board, Bihar at Patna
10. The District Magistrate, Araria, District- Araria
11. The District Magistrate, Arwal, District- Arwal
12. The District Magistrate, Aurangabad, District- Aurangabad
13. The District Magistrate, Banka, District- Banka
14. The District Magistrate, Begusarai, District- Begusarai
15. The District Magistrate, Bhagalpur, District- Bhagalpur
16. The District Magistrate, Bhojpur, District- Bhojpur
17. The District Magistrate, Buxar, District- Bhojpur
18. The District Magistrate, Darbhanga, District- Darbhanga
19. The District Magistrate, East Champaran (Motihari), District- Motihari
20. The District Magistrate, Gaya, District- Gaya
21. The District Magistrate, Gopalganj, District- Gopalganj
22. The District Magistrate, Jamui, District- Jamui
23. The District Magistrate, Jehanabad, District- Jehanabad
24. The District Magistrate, Kaimur (Bhabhua), District- Kaimur
25. The District Magistrate, Katihar, District- Katihar



26. The District Magistrate, Khagaria, District- Khagaria
27. The District Magistrate, Kisanganj, District- Kisanganj
28. The District Magistrate, Lakhisarai, District- Lakhisarai
29. The District Magistrate, Madhepura, District- Madhepura
30. The District Magistrate, Madhubani, District- Madhubani
31. The District Magistrate, Munger, District- Munger
32. The District Magistrate, Muzaffarpur, District- Muzaffarpur
33. The District Magistrate, Nalanda, District- Nalanda
34. The District Magistrate, Nawada, District- Nawada
35. The District Magistrate, Patna, District- Patna
36. The District Magistrate, Purnia, District- Purnia
37. The District Magistrate, Rohtas, District- Rohtas
38. The District Magistrate, Saharsa District- Saharsa
39. The District Magistrate, Samastipur, District- Samastipur
40. The District Magistrate, Saran, District- Saran
41. The District Magistrate, Sheikhpura, District- Sheikhpura
42. The District Magistrate, Sheohar, District- Sheohar
43. The District Magistrate, Sitamarhi, District- Sitamarhi
44. The District Magistrate, Siwan, District- Siwan
45. The District Magistrate, Supaul, District- Supaul
46. The District Magistrate, Vaishali, District- Vaishali
47. The District Magistrate, West Champaran, District- West Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate

For the Respondent/s : Mr. Anjani Kumar, AAG-4

Mr. Deepak Sahay Jamuar, AC to AAG-4

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-07-2021



Petitioner has prayed for the following relief(s):-

“1.(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 the respondent authorities to remove encroachments from the water bodies stated at Annexure-P/4 to the writ application; on the grounds that more than 70% of the water bodies have been vanished because of encroachment;

(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 that discharge of untreated effluents in the water bodies should be stopped immediately, on the ground that it is polluting the water bodies and further stop all kinds of construction activities within 2 km of water bodies because the construction work near water bodies has bad impact on it, which further results into exploitation of the water bodies;

(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 respondent authorities that GPS/satellite images of water bodies across districts in Bihar should be done and upload it on the website, further, submit an annual report on the website regarding the status of water bodies such as how much desilting has been done, removal of encroachment, cleaning, condition of groundwater, etc along with other initiative steps that have been taken by the authorities for protection and preservation of water bodies;



(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 to plant more and more trees especially near water bodies, on the ground that it will help in discharging water into ground and also prevent the flood, which destroys everything every year and huge amount has been spent by the government to deal with after effects of flood, further, fencing of the water bodies should be done to avoid other illegal activities and dumping of garbage near water bodies;

(V) 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, under instructions, seeks permission to withdraw the present petition reserving liberty to file a fresh petition, with better particulars, on the same and subsequent cause of action, if so required and desired.

Permission granted with liberty as prayed for.

Liberty also reserved to the petitioner to make a mention for listing of the petition on priority basis. As and when any such mention is made, Registry shall take steps for listing the petition at the earliest.

Instant petition stands dismissed as withdrawn in the aforesaid terms.



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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	22.07.2021
Transmission Date	

