

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4191 of 2021

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Rajiv Ranjan Singh S/o-Prabhunath Singh R/o-Village-Damodarpur, Purab Tola, Near Shiv Mandir, P.O.-Sarai, P.S.-Sarai, District-Vaishali At Present-Sharma Commercial Institute, Opposite House of Doman Mahato, Gur ki Mandi Chouraha, Sher Shah Road, P.O.-Gulzarbagh, P.S.-Alamganj, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
2. The Secretary, Environment, Forest and Climate Change, Government of India, Indira, Paryavaran Bhawan, Jor bagh Road, New Delhi-110003
3. The Principal Chief Conservator of Forest, Bihar, 3rd Floor, Aranya Bhawan, Shaheed Pir Ali Khan Marg (Riding Road), Sheikhpura, Patna-800014.
4. The District Magistrate (D.M.), District-Vaishali, Collectariat, Vaishali (Bihar), Pin-844101
5. The Divisional Forest Officer (D.F.O.), District-Vaishali (Bihar), Pin Code-844101

... .. Respondent/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar, Adv. Mr. Shankar Kumar, Adv.
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, AAG-13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 29-06-2021

Heard learned counsel for the parties.

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

- (i) To direct the concerned Respondents to take necessary and immediate steps for the prevention of

life of the farmers and extensive damage and large scale destruction of crops which is being done by the animal popularly known as “Nilgai” or the Blue Bull in my area of inhabitation.

(ii) To direct the concerned Respondents to take necessary and immediate steps to engage animal protection experts and Scientists in implementing solutions such as adequate fencing, noise makers and repelling naturally from farms required to protect the large scale destruction of crops which is being done by the animal called “Nilgai” or the Blue Bull.

(iii) To direct the concerned Respondents to use Contraceptive vaccine for Nilgai/Blue Bull that will retard the reproduction of these animals and ultimately bring relief to the local farmers as it will lead to the enhancement of the productivity of their crops because of low scale destruction of the crops,

(iv) To direct the concerned Respondents to take necessary and immediate steps to shift these animals from farmlands to the natural forest as

these animals are causing harm to life and property, including large-scale destruction of crops due to their over-population in areas outside forests.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order

preferably within a period of three months from the date of its filing along with a copy of this order;

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

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

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) 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;

The petition stands disposed of in the aforesaid

terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

sushma/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-6-2021
Transmission Date	NA