

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1053 of 2019

In
Civil Writ Jurisdiction Case No.10221 of 2016

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Ram Briksha Bhagat S/o Hriday Narayan Bhagat At and P.O. Sangrampur,
P.S. Sangrampur, District - Munger

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. The District Magistrate Munger
3. The Sub Divisional Office Tarapur, Munger
4. The Circle Officer Sangrampur, Block Munger
5. Sunil Kumar Bhagat S/o Late Ganga Prasad Bhagat at and P.O.-Sangrampur,
P.S. Sangrampur, District-Munger
6. Aashish Mandal S/o Nandeshwari Mandal Village-Khapra, P.S. Sangrampur,
District-Munger

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Pranav Kumar Jha
For the Respondent/s : Mr.Sarvesh Kumar Singh (Aag13)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-03-2021

The present Letters Patent Appeal has been preferred against the judgment dated 01.08.2019 passed by a learned Single Judge of this Court in C.W.J.C. No. 10221/16 titled as Ram Briksha Bhagat Vs. The State of Bihar and Ors.

Learned counsel for the appellant seeks permission to withdraw the present appeal reserving liberty to approach the appropriate authority under the Bihar State



Pollution Control Board Act.

Permission is granted.

Present Letters Patent Appeal stands disposed of
in the following terms:

(a) appellant shall approach the authority under
the Pollution Control Board Act by filing a representation along
with a copy of this order;

(b) the appropriate authority 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;

(c) equally, liberty is reserved to the appellant to
take recourse to such alternative remedies as are otherwise
available in accordance with law;

(d) we are hopeful that as and when appellant
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;

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

(f) liberty reserved to the appellant 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 appeal stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

