

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10812 of 2015

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Ramjee Sharma son of Late Rameshwar Sharma resident of Ward no.23
Anumandal Road, Sital Bigha P.O. Daudnagar P.S. Daudnagar District
Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate Aurangabad.
3. The Sub Divisional Magistrate, Daudnagar, District Aurangabad.
4. The Circle Officer, Daudnagar, Anchal Daudnagar District Aurangabad.
5. The Superintendent of Police, Aurangabad, District Aurangabad.
6. The Sub-Divisional Police Officer Daudnagar, District Aurangabad.
7. Jitendra Singh son of Bhikhari Singh, resident of village Sansa Tola,
Mahendra Chhak P.O. Daudnagar P.S. Daudnagar, District Aurangabad Pin
824143.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma, Adv.
For the Respondent/s : Mr. A. Ujjwal, SC 25

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 19-12-2022 1. The petitioner by way of this writ petition has
prayed as under:-

*“That this is an application for issuance of
appropriate writ(S) order(S) direction(S) to the respondents
for the following relief (s):*

*(I) For issuance of an appropriate writ
commanding the respondents to remove the Diesel Machine
which is near the house of petitioner by which petitioner is
suffering from improbable loss danger of life by pollution
caused by sound and vibration due to that house of*



petitioner had cracked and there is much possibility of the same be damaged.

(II) For issuance of appropriate writ to enforce the order of Sub-Divisional Magistrate, Daudnagar passed in Misc. Case no. 1347A/2014 vide order dated 15.4.2015.

(III) For issuance of appropriate writ to pay the compensation to the petition which caused by respondent no. 7 due to installation of Eicher Machine of 22 Horse power from which the wife of petitioner suffers from heart ailments and also created crack in the wall of petitioner.

(IV) For any other relief(s) whichever is applicable in the facts and circumstances.”

2. Apparently it is a pure and simple civil dispute for which remedy lies to the appropriate Civil Court. The writ petition where factual aspects are to be examined and required to be proved, the writ petition would not lie.

3. The writ petition is dismissed accordingly.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 35

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