

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1496 of 2023

Kiran Kumar Sinha Son of Late Vaidya Nath Prasad Sinha, Resident of
Village- Usri, P.O.- Usri, P.S.- Sahpur, Danapur, District- Patna PIN- 801105.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Rural Development Department, Government of Bihar, Patna.
2. The District Rural Development Agency, Patna.
3. The Deputy Development Commission, Patna.
4. The Collector-cum-District Magistrate, Patna.
5. Sub Divisional Officer, Danapur, District- Patna.
6. Block Development Officer, Block- Danapur, District- Patna.
7. The Circle Officer, Danapur, District- Patna.
8. The Mukhiya, Village-Usri, Panchayat- Hathiyakandh, Danapur Block, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Nirala, Advocate
For the Respondent/s : Ms. Roona, AC to GP 7

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 07-02-2023

In the present writ petition, filed in the nature of
public interest litigation, the petitioner has a grievance that
construction of waste dumping site is underway adjacent to a



pond – cum – *Chhath Ghat* located at Usari Bazar, which should be shifted to another suitable place as the present location is likely to cause obstruction in performing *Chhath Puja* and may adversely affect the religious sentiments of the local inhabitants.

This Court, exercising writ jurisdiction under Article 226 of the Constitution of India, does not have the judicially determinable parameters to decide as to which place would be most suitable for construction of the waste dumping site. It has emerged from the submission made on behalf of the petitioner that Mukhiya of the village himself is instrumental in construction of the waste dumping site.

The petitioner has not been able to demonstrate, based on pleadings in the writ application, that there has been violation of any legal or constitutional right by construction of the said waste dumping site.

In our opinion, thus, no interference is required by this Court in the present matter.

We, however, make it clear that the petitioner shall be at liberty to invoke the provisions of the Bihar Right to Public Grievance Redressal Act, 2015 raising the grievances which he has raised in the present writ application.



This writ application stands disposed of accordingly.

(Chakradhari Sharan Singh, ACJ)

(Partha Sarthy, J)

Spd/-Shiv

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.02.2023
Transmission Date	N.A.

