

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19284 of 2017

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1. Md. Manzoor Quraishi @ Mansoor Quraishi and Anr Son of Nisar Quraishi, Resident of Mohalla- Murgiya Chak, Police Station-Bariarpur, District-Munger.
 2. Md. Najam Quraishi Son of Late Md. Ajiz Resident of Purabsari Kamela Road, Azad Colony, P.S. Munger, District-Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Munger.
3. The Municipal Corporation, Munger through its Chairman
4. The Chairman, Municipal Corporation, Munger.
5. The Munger Municipal Commissioner, Municipal Corporation, Munger.
6. The Chief Executive Officer, Municipal Corporation, Munger.
7. Md. Shakir Son of Late Ismail, at Resident of Mohalla-Purab Sarai Camela Road, Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar, Advocate Mr. Abdul Mannan Khan, Advocate
For the State	:	Mr. Yogendra Prasad Sinha -AAG7 Mr. Rajeev Kumar Sinha, AC to AAG-7
For Municipal Corp.	:	Mr. Anjani Kumar, Sr. Advocate Mr. Amit Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 11-07-2023 Heard the parties.

That this is an application for invoking the writ jurisdiction of this Hon'ble High Court for grant of the following relief or reliefs:

I. for issuance of an appropriate writ order or direction for quashing the resolution No. 4 of the Standing Committee of Munger Municipal Corporation dated 29.07.2017 contained in



memo no. 1828 dated 28.08.2017 issued by the Municipal Commissioner, Munger as it relates to the taking steps for closer of slaughter house and camela governed by the Municipal Corporation, Munger;

II. for issuance of an appropriate writ order or direction for quashing the resolution no. 1 (ka) of the standing committee, Munger Municipal Corporation contained in memo no. 1863 dated 31.08.2017 confirming the resolution dated 29.07.2017/ 26.08.2017;

III. For issuance of appropriate writ order or direction for quashing the letter no. 1881 dated 26.08.2017 and letter no. 1894 dated 08.09.2017 issued by the Municipal Commissioner, Munger by which the Slaughter House governed by Municipal Corporation of Munger has been directed to be closed at once;

IV. for issuance of an appropriate writ order and direction for grant of interim stay of the operation of Annexure- 1,2 and 3 of the writ petition. By which the Slaughter House run by Munger Municipality/ Municipal Corporation since more than a century has most arbitrary and quite malafely has been directed to be closed;

V. for issuance of an appropriate writ order or direction commanding the respondents Municipal. Corporation



to start the only Slaughter House of Munger and renew/grant the licence to the petitioner and other shopkeeper for selling the meat of big animals permitted under law.

A counter affidavit has been filed on behalf of the respondent no. 1 through the office of the AAG-7. However, a perusal of paragraph 16 shows that the necessary paragraph numbers that are required to be filled showing that the same are best to their knowledge and/or based on records are blank. It clearly shows the way the office is functioning.

A counter affidavit in paragraph 12 read as follows:

“That as stated above the Hon'ble Supreme Court has passed the order dated 17/02/17 on this matter in the following terms- "Pursuant to order dated 26/09/16 and 28/10/16, a Compendium of the Indian Standards has been prepared along with all relevant material in consultation with all the stakeholders.

The Union of India is directed to print the Compendium in sufficient numbers and circulate it to all the State Governments and Union Territories for compliance.

In the event there is non-compliance with the Indian Standards,



other Rules and Regulations, the petitioners are entitled to approach the concerned District Collector or the Judicial Authorities, as the case may be in a given specific instance".

Learned counsel for the petitioner fairly submits that in view of the said statement made by the State, he shall be approaching the concerned official for grant of license so that he can have his livelihood and could cater to the needs of his family.

Considering the aforesaid fair submission, the writ petition stands disposed of with liberty to the petitioner to approach the appropriate authority within four weeks from today who shall be duty bound to consider his case and take necessary decision within three months thereafter.

(Rajiv Roy, J)

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