

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7344 of 2023

Neeraj Kaushal son of Devendra Prasad Sinha Resident of Ward No. 26,
Professor Colony, Dhaneshwar Ghat, P.O. Biharsharif, P.S. Biharsharif,
District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Patna.
2. The Additional Chief Secretary, Education Department Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda at Biharsharif.
5. The Sub-Divisional Magistrate, Biharsharif.
6. The District Education Officer, Nalanda, Biharsharif.
7. The Superintendent of Police, Nalanda, Biharsharif.
8. The Station House Officer, Biharsharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. P.K. Shahi, A.G.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-08-2023

The petitioner has filed the above public interest litigation based on a representation filed before the respondent authorities on 17.01.2023, especially regarding the problems faced by the local residents of Professor Colony due to the illegal running of coaching institutes.

2. At the outset, it has to be stated that the petitioner for a moment does not speak of how the grievances of the local residents can be agitated in the public interest litigation without an averment as to such local residents being unable to approach this Court on the above grievances. A public interest



litigation can be filed only when the larger public, who are affected by the arbitrary action or inaction of the State, is unable to approach this Court by reason of impecunious circumstances, marginalization and so on and so forth. Further, it has to be noticed that none of the coaching centres are impleaded in the writ petition, nor is the specific person, who is said to have been issued with a notice dated 11.02.2023, impleaded herein.

3. We find absolutely no reason to entertain the writ petition, however, we make it clear that we have not observed anything on the issue raised especially when the representation alleges violation of Bihar Coaching Institute (Control and Regulation) Act, 2010. The dismissal of the writ petition need not affect the consideration of the representation.

4. With the above reservation, the writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

aditya/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.08.2023.
Transmission Date	

