

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13543 of 2016

1. Ratneshwar Prasad Singh son of Sri Prameshwar Prasad Singh, Senior Advocate, the Secretary, Bihar State S.P.C.A., Bihar, having its Head Office, Daya Mandir, Partliputra Old Police Station Colony, Patna, and resident of Veer Kunwar Singh Colony, P.S. Kashipur, District Samastipur.
2. Binay Kumar Singh, son of Sri Shyam Nandan Singh, General Secretary, Bihar State S.P.C.A. Inspector Association, having its Head Office Daya Mandir, Partliputra Old Police Station, Colony Patna, and resident of Village Dhanushi, P.O. Ghataro, P.S. Kartahan, District Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Home Department, Bihar, Patna.
3. The Special Secretary, Home (Special) Department, Bihar, Patna.
4. The Additional Secretary, Home (Special) Department, Bihar, Patna.
5. The Director General of Police, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bindhya Keshari Kumar, Senior Advocate
Mr. Satyendra Narayan Singh, Advocate

For the Respondent/s : Mr. N.H. Khan- SC1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-05-2023

The petitioners are before us claiming that despite orders issued by the competent authorities, the police are not assisting the Society for Prevention of Cruelty to Animals as and when a request is made. It is the specific contention of the learned Senior Counsel that the order is not being followed. However, we notice



even from the writ petition that no specific instance of a complaint having been raised and the police having not complied with the instruction is placed on record.

We cannot issue a mandamus in a vacuum. The petitioners also have not approached the Special Secretary to the Government, Bihar, Patna, who has issued the instructions; pointing out any instance of non-compliance.

In the above circumstances, we are unable to entertain this public interest litigation. We dismiss the same.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	04.05.2023
Transmission Date	

