

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11585 of 2023

Prakash Sahay, Advocate, S/o Late Sri Raman Ji, Resident of B 402, Prachi Ashirwad Apartment, behind Abdul Hai Complex, Exhibition Road, Patna 800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
3. The State of Bihar through Principal Secretary cum The Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Patna 800001.
4. The Principal Secretary cum The Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Patna 800001.
5. Principal Secretary cum The Commissioner, Urban Development and Housing Department Secretariat, Patna 800001.
6. The Divisional Commissioner, Patna Division, Patna.
7. The District Magistrate, Patna, District-Patna.
8. The Sub-Divisional Officer, Patna City, District-Patna.
9. The Superintending Engineer, Building Circle, Patna.
10. The Executive Engineer, Patna City Building Division, Gulzarbag, Patna
11. The Assistant Engineer, Building Sub-Division, Gulzarbag, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prakash Sahay, Advocate

For the Respondent/s : Mr. Anjani Kumar (AAG-4)
Mr. Alok Kumar Rahi, AC to AAG-4
Mr. Utkarsh Bhushan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-10-2023

The above writ petition was filed on the ground that
the gate of one *Bihar Netraheen Parishad School* for blind girls
is being blocked by the construction of the *Pariksha Parishad*



building.

2. The learned Additional Advocate General-IV Sri Anjani Kumar, on instructions, submitted that the school is run by a non-governmental organization and the plea projected is also based on the grievance of the occupants of a residential complex in the vicinity. The *Pariksha Parishad* building is constructed in a Government land and earlier while it was lying vacant, there was ingress and egress through the property which has now been interdicted. This is the reason for the public interest litigation is the submission.

3. We directed the Member Secretary, Bihar State Legal Services Authority to depute a Judicial Officer attached to the Bihar State Legal Services Authority to conduct an inspection. The inspection report is placed on record. It has been stated that on inspection it was found that the approach road to the school is not in a good condition and was not at all motorable. There were also photographs taken which have been produced along with the report. The main entrance gate of the school and the *Pariksha Parishad* building is shown in the two photographs marked as C-1 and C-2. There is no obstruction caused to the entrance of the school. A road leads onto the gate of the school and the right side of the road is a gate to enter the



property where the *Pariksha Parishad* building is constructed.

4. We find no obstruction as such having been caused. However, considering the fact that it is a girls school for the differently abled that the road leads to, it is directed that the Government would ensure that a properly constructed road is made thereon, at least up to the entrance of the girls school.

5. With the above direction, the writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Sunil/-

AFR/NAFR	
CAV DATE	
Uploading Date	18.10.2023
Transmission Date	

