

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2697 of 2019

In
Civil Writ Jurisdiction Case No.15338 of 2016

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Mahesh Kumar Agrawal S/o Late Ram Krishna Agrawal resident of Bank Road, Raxaul- 845305, District- East Champaran.

... .. Petitioner/s

Versus

1. The Union of India through Chandra Kishore Mishra the Secretary, Ministry of Environment and Forest, Govt. of India, New Delhi
2. Chandra Kishore Mishra The Secretary, Ministry of Environment and Forest, Govt. of India, New Delhi
3. Preeti Sudan The Secretary, Ministry of Health and Family Welfare, Govt. of India, New Delhi
4. Sushant Kumar Mishra The Secretary, Ministry of Railways, Govt. of India, New Delhi
5. L. C. Trivedi The General Manager, East Central Railways, Hajipur, Vaishali
6. Sudhanshu Sharma The Divisional Railway Manager, Samastipur Division, East Central Railways
7. S. P. Singh Parihar Chairman, The Central Pollution Control Board, New Delhi
8. Deepak Kumar The Chief Secretary, The State of Bihar, Govt. of Bihar, Patna
9. Deepak Kumar Singh The Principal Secretary, Department of Environment and Forest, Govt. of Bihar, Patna
10. Sanjay Kumar The Principal Secretary, Department of Health, Govt. of Bihar, Patna
11. A. K. Ghosh The Bihar State Pollution Control Board through its Chairman, Patna
12. The National Human Rights Commission New Delhi
13. Raman Kumar The District Magistrate, Raxaul
14. Upendra Sharma The Superintendent of Police, Raxaul

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gautam Kumar Kejriwal, Advocate Mr. Atal Bihari Panday, Advocate Mr. Alok Kr. Jha, Advocate
For the Opposite Party/UOI	:	Dr. Krishna Nandan Singh, Sr. Advocate, ASG assisted by Kanak Verma, CGC Mr. Prakritita Sharma, AC to ASG Mr. Shivaditya Sinha, Advocate Mr. Lalitesh Mani, Advocate



For State : Mr. Sarvesh Kumar Singh, AAG 13
For Pollution Board : Mrs. Binita Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

12 06-12-2023 The present MJC application is filed for non-compliance of the order of this Court dated 25.08.2017 passed in CWJC No. 15338 of 2016 which is a Public Interest Litigation.

2. From time to time directions have been issued in not adhering to the directions of this Court. The latest direction was to file personal affidavit of the Commercial Superintendent (Goods), East Central Railway, *Raxaul*. He has filed personal affidavit dated 22.11.2023 as if orders of this Court have been complied. However, he has not apprised this Court about non utilizing steam coal in the particular rake point.

3. Learned counsel for the petitioner, on instruction, fairly submitted that even though personal affidavit of the Commercial Superintendent (Goods) East Central Railway, *Raxaul* is not revealing about the using of steam coal and it has already stalled such process in the rake point with effect from 30.09.2023. In view of these developments, present MJC application stands disposed of.



4. However, the Commercial Superintendent (Goods) East Central Railway, *Raxaul* is hereby directed to see that orders of this Court are implemented from time to time. If there are any changes, in that event he or authorized officer is at liberty to move an application before this Court seeking permission to undertake any of the exercise.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

GAURAV S./-

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