

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2772 of 2024

1. Atiqur Rahman, Son of Ajijul Rahman, Resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.
2. Jeba Praveen, Wife of Kaushar Ali, Resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.
3. Md. Sabir Ahmad, Son of Abdul Rahim, Resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.
4. Kaushar Ali, Son of Waris Ali, Resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.
5. Mohammad Dastgir Alam, Son of Mohammad Sakin Ahmad, Resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Forest Department, Government of Bihar, Patna.
2. The Member Secretary, Bihar State Pollution Control Board, Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Sub-Divisional Officer, Chakiya, East Champaran.
5. The Executive Officer Nagar Panchayat, Mehasi, District- East Champaran.
6. The Block Development Officer, Mehasi, District- East Champaran.
7. Md. Murad, Son of Maksud Alam, resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.
8. Md. Shamim, Son of Late Md. Karmuallah Ansari, resident of Village- Bathna, P.S.- Kesariya, District- East Champaran.
9. Md. Aslam, Son of Late Md. Naimuddin, resident Village- Mirjapur Karbala, P.S.- Mehsi, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjit Kumar Thakur, Advocate
For the Respondent/s	:	Mr. Government Advocate 11
For Pollution Control Board	:	Mr. Shivendra Kishore, Sr. Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-02-2024

The petitioners, residents of the locality, allege that



the industry carried out by Respondent Nos. 7 to 9 causes pollution in the area. The grievance cannot be agitated in a Public Interest Litigation as it is a private interest which can be agitated before the appropriate forum. We also see that the writ petition is filed merely on a representation filed before the District Magistrate without even verifying as to whether Respondent Nos. 7 to 9 have obtained proper sanction from the Bihar State Pollution Control Board.

2. We find absolutely no reason to entertain the writ petition as a Public Interest Litigation and dismiss the same leaving liberty to the petitioner to approach the appropriate authority or Court, if so desired.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	17.02.2024
Transmission Date	

