

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7179 of 2024

Rashtriya Samajik Nayay Morcha through its President namely Upendra Chauhan (aged about 49 Years, Male) Son of Ram Bachan Singh, R/o Mohalla- Rajeev Nagar, Road no.- 8 D, P.S.- Rajeev Nagar, District- Patna- 800024.

... .. Petitioner/s

Versus

- 1. Union of India through Home Secretary, Govt. of India, South Block, Delhi-1.
- 2. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
- 3. The Principal Secretary, Home Special Dept., Government of Bihar, Patna.
- 4. The Director General of Police, Bihar, Patna.
- 5. The Additional Secretary of Home (Special), Bihar, Patna.
- 6. The Special Secretary of Govt. of Bihar, Home Department (Special Branch) Bihar, Patna.
- 7. Explosive Controller, Peso (Petroleum Explosive Safety Organisation), 4th Floor, Karpoori Thakur Sadan (G.P.O.S. Complex) Ashina Digha Road, Rajeev Nagar, Jagat Bihar Colony, Patna- 800025.
- 8. District Magistrate, Nawada.
- 9. District Magistrate, Aurangabad.
- 10. District Magistrate, Sheikhpura.
- 11. District Magistrate, Gaya.
- 12. S.S.P., Nawada.
- 13. S.S.P., Aurangabad.
- 14. S.S.P., Sheikhpura.
- 15. S.S.P., Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Anjum Perveen, Advocate Mr. Prafulla Kumar Jha, Advocate Mr. Shishir Kumar Koundilya, Advocate Mr. Ajoy Kumar, Advocate Md. Shadab Alam Wazdi, Advocate
For the Respondent/s	:	Dr. D.N. Singh, ASG Mr. Arjun Kumar, CGC Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-05-2024



The petitioner is said to be an NGO which is admittedly not registered under any of the enactments, which disentitles the petitioner to approach this Court, since it is not a legal entity.

2. The prayer in the Public Interest Litigation is also with respect to use of explosives in the State, especially in the districts of Nawada, Aurangabad, Sheikhpura and Gaya for mining and other construction work like Railways, road construction etc. It is stated that the statutory compliances are lacking in the activities wherein explosives are used. The petitioner, but for having impleaded the District authorities, has not pointed out even one instance of the activity of one entity which had been carried out without such licences.

3. It is also seen from the writ petition that the Special Secretary, Government of Bihar, Home Department has already issued Annexure-P2 with reference to the grievance of the petitioner. The petitioner relies on a newspaper report and speaks of “illegal and dangerous activity of the Mines Company” (sic) without any specification as to the company involved.

4. The writ petition, we find, is totally misconceived and the petitioner on its own admission is not a legal entity



entitled to invoke the extraordinary jurisdiction.

5. We reject the writ petition for all the above reasons.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	06.05.2024
Transmission Date	

