

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17412 of 2024

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1. Niranjan Kumar Son of Lalit Singh Resident of Village- Malichak, P.S.- Warsaliganj, District- Nawada, Bihar.
 2. Ram Padarath Singh Son of Mochhu Singh Resident of Village- Khanapur, P.S.- Warsaliganj, District- Nawada, Bihar.
 3. Ganesh Singh Son of Lakhan Singh Resident of Village- Mosima, P.S.. Warsaliganj, District- Nawada, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Industrial Department.
2. The District Magistrate, Nawada.
3. The G.M. M/s Ambuja Cement Pvt. Ltd. Industry.
4. Bihar Industrial Area Development Authority, Patna, Udyog Bhawan, Gandhi Maidan.
5. The Executive Officer, Nagar Parishad, Warsaliganj, Nawada.
6. Bihar State Pollution Control Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar Verma, Advocate
For the Respondent/s : Mr.Government Pleader (5)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2024

The petitioners have filed the above writ petition for setting aside the allotment of a plot of land in favour of M/s Ambuja Cements Private Ltd.

2. The contention raised in the writ petition is that the establishment of a cement factory in the said land; wherein earlier there was a Sugar Mill situated, coming within the



municipal area would cause serious health hazards to the people residing in the densely populated area by reason of the pollution.

3. We find that merely for an apprehension raised there is nothing stated as to the allotment of land being not in accordance with any statutory provision.

4. Learned Advocate General also submitted that the land belonged to the Government, wherein Sugar Mills were earlier operating, when the mills became defunct the land was allotted to the Bihar Industrial Area Development Authority for the purpose of allotment also in pursuance of the policy of industrialization within the State.

5. But for vague apprehensions raised regarding pollution and an assertion that the area is densely populated there is nothing pointed out from any statute as to a violation having occurred. As of now, there is only an allotment on which there is no establishment of an industry carried out as of now. An establishment of an industry would also require permissions and sanctions from the statutory authority which would also take care of the apprehension of pollution now expressed by the petitioners herein.

6. We also see that the respondent impleaded is the



General Manager of M/s Ambuja Cements Private Limited without any proper address shown, in which the notice has to be sent.

7. We find the petitioners to have filed the above writ petition callously without impleading the allottee; a necessary party, properly and raising vague allegations without any substantiation.

8. We find absolutely no reason to entertain the writ petition filed as a Public Interest Litigation and dismiss the same.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

