

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.37 of 2024

In
Civil Writ Jurisdiction Case No.1943 of 2023

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Radhe Shyam Singh @ Radhe Shyam S/o Late Nawal Kishore Sharma @
Nawal Singh, R/o Village Jagmal Bigha, Block Khusrupur, P.S. Khusrupur,
Dist. Patna.

... .. Appellant/s

Versus

1. The State of Bihar through The District Magistrate, Patna.
2. The District Magistrate, Patna, District-Patna.
3. The Deputy Development Commissioner, Patna, Vikas Bhavan, District
Collectorate, Gandhi Maidan, District-Patna.
4. The Block Development Officer, Khusrupur, Block Khusrupur, District-
Patna.
5. The Circle Officer (C.O.), Block Khusrupur, District-Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiv Pratap, Advocate
For the Respondent/s : Mr. AC to AAG-12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 11-02-2025

We have heard the learned counsel for the

parties.

2. The appellant is aggrieved by the order of



the learned Single Judge dated 30.11.2023 passed in C.W.J.C. No. 1943 of 2023, whereby the prayer made on behalf of the appellant for holding the construction of the Garbage House/Waste Processing Unit to be illegal, was rejected.

3. It appears that a Garbage House/Waste Processing Unit had been set up at a place, which, accordingly to the appellant, disturbed his free access to the main road.

4. The learned Single Judge found that it was not constructed on the *Rayati* land of the appellant and that the construction is complete in all aspects.

5. Nobody could deny the necessity of civic rights of people, which essentially includes collection of garbage at one place and processing and segregating it for its easy disposal.

6. The records also reveal that the enquiry in this matter reflected that the appellant's access to the main road has not been disturbed and he has free



access from both sides of the construction.

7. There is no merit in this appeal and,
accordingly, it is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Manoj/Praveen-II

AFR/NAFR	NAFR
CAV DATE	NA
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