

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2904 of 2025**

Seeta Devi wife of Sri Uday Shankar Prasad, resident of village- Chainpur,  
P.O. and P.S. Mashraikh, District -Saran at Chapra.

... .. Petitioner

Versus

1. The Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patliputra, Patna, through the Chairman.
2. The Chairman, The Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patliputra, Patna.
3. The Regional Officer, The Bihar State Pollution Control Board, Muzaffarpur.

... .. Respondents

**Appearance :**

|                     |   |                            |
|---------------------|---|----------------------------|
| For the Petitioner  | : | Mr. Awnish Kumar, Advocate |
| For the Respondents | : | Mr. Kumar Ravish, Advocate |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

4      03-11-2025                      Heard learned counsel for the petitioner and  
  
learned counsel for the Bihar State Pollution Control Board.

2.      By way of this writ petition, the petitioner  
  
has prayed for the following reliefs:-

- i. For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 14.01.2025 passed by the Respondent no.2 and contained in his Ref. No.190338 dated 14.01.2025 whereby and where under the Respondent no.2 has been pleased to direct the petitioner to close and stop the operation of her Poultry Farm with immediate effect, failing which she has been*



*threatened for filing of complaint against her under the relevant provisions of the Air (Prevention and Control of Pollution) Act, 1981, Water (Prevention and Control of Pollution) Act, 1974 and the Environment (Protection) Act, 1986 on the ground that the said order passed by the Respondent no.2 suffers from manifest error on non-compliance of principles of natural justice.*

- ii. *For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to allow the petitioner to run her small poultry farm for earning the livelihood herself and her family members since the petitioner has not offended any provisions of two Acts referred to in the impugned order and her small poultry farm is never hazarded for citizens living in surroundings of petitioner's poultry farm.”*

3. It appears that before passing the impugned order dated 14.01.2025 (Annexure-3 to this writ petition) no personal hearing was given to the petitioner by the authority concerned. It also appear that while passing the impugned order the authority concerned has merely reiterated the facts and has not considered the stand taken by the petitioner in her reply to the show-cause notice.



4. In these circumstances, the impugned order dated 14.01.2025 passed by the Chairman of the Bihar State Pollution Control Board is quashed. The matter is remitted to the authority concerned for passing fresh reasoned order in accordance with law after hearing the petitioner.

5. With the aforesaid observations and directions, this writ petition is allowed to the above extent.

(Sandeep Kumar, J)

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