

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12759 of 2024

Sanjay Kumar Singh Son of Charan Singh Resident of Gurudwara Road,
Gasai Bagh, Ward No. 17, P.O. -Kotwali, P.S. Kotwali, District- Gaya,
Pincode-823002.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub-Divisional Magistrate, Sadar, Gaya.
4. The Superintendent of Police, Gaya
5. Bihar State Pollution Control Board, Parivesh Bhawan, Patliputra Industrial Area, Patna-8000123, through its Member Secretary.
6. The Member-Secretary, Bihar State Pollution Control Board.
7. M/S Divyansh Palace, at-Gasai Bagh, Gugudwara Road. District-Gaya-823002 through its Proprietor Sunita Devi
8. Smt. Sinita Devi W/o Vijay Kumar Urf Manoj Kumar Resident of at Gasai Bagh, Gurudwara Road, P.O.-Kotwali, P.S.-Kotwali, District-Gaya-823002.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Akrity Aishwarya, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

5 15-04-2025 Learned counsel for the State, Mr. Vivek Prasad has

filed second supplementary counter affidavit, which is taken on

record.

2. Learned counsel appearing for the petitioner, Mrs.

Akrity Aishwarya submits that this writ application has been

filed by the petitioner to enforce the direction for closure

contained in Memo No.114 dated 12.01.2024 issued by the

Bihar State Pollution Control Board in exercise of its powers

under Section 31A of the Air (Prevention and Control of



Pollution) Act, 1981, by which the banquet hall was being illegally operated by respondent no.7 and 8.

3. The learned counsel appearing for the State, Mr. Vivek Prasad has filed a second supplementary counter affidavit in which in paragraph-6 and 7 it has been averred/stated as follows:

“6. That it is respectfully submitted that in pursuance of the aforesaid order, the Incharge, Police Station, Kotwali along with Anchal Adhikari Nagar, Gaya had closed the said M/s Divyansh Palace, through its Proprietor Sri Vijay Kumar and accordingly the Anchal Adhikari, Nagar, Gaya had submitted the compliance report vide letter no.502 dated 17.03.2025.

A photocopy of the compliance report contained in letter no.502 dated 17.03.2025 is annexed herewith as Annexure-r/1, to this supplementary counter affidavit.

7. That it is further respectfully submitted that the Anchal Adhikari, Nagar, Gaya had also provided the still photographs as well as video recording which were taken at the time of closing of the said M/s Divyansh Palace through its proprietor Sri Vijay Kumar on 17.03.2025.

A photo copy of the still photographs



as well as CD of the closing procedure dated 17.03.2025 are annexed herewith and marked as Annexure-R/2 Series to this supplementary counter affidavit.”

4. From the aforesaid submissions made by the learned counsel for the State, it is clear that the direction for closure has been complied with and the operation of the banquet hall in question stands closed. This fact is also concurred and admitted by the learned counsel appearing for the petitioner.

5. In view of the above position, now no cause of action survives for being further pursued in the present writ application. The present writ application is accordingly disposed of in light of the above.

(Alok Kumar Sinha, J)

Prakash Narayan

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