IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No. 1139 of 2024

Court on Its Own Motion

Versus

The State of Jharkhand and others … … ... Respondents

WITH

W.P. (PIL) No. 3795 of 2023

Anurag Kumar, aged about 33 years, Son of Birendra Prasad, Resident of 76, Inderpuri Road, Sukhdeo Nagar, Near Parrot Masala Factory, Hehal, P.O. & P.S.- Sukhdeo Nagar, District – Ranchi, Jharkhand-834005.

…… Petitioner

Versus

1. The State of Jharkhand
2. The Chief Secretary, Government of Jharkhand, Project Building, P.O. & P.S- Dhurwa, District – Ranchi, Jharkhand.
3. The Secretary, Department of Excise & Prohibition, having its office at Utpad Bhawan, 2nd Floor, Kanke Road, near new Police Line, P.O. & P.S.- Gonda, District – Ranchi, Jharkhand.
4. The Commissioner, Department of Excise & Prohibition, having its office at Utpad Bhawan, 2nd Floor, Kanke Road, near new Police Line, P.O. & P.S.- Gonda, District – Ranchi, Jharkhand.
5. The Director General of Police, Anti Corruption Bureau, Government of Jharkhand, Adrey house, P.O.- Kanke, P.S. Gonda, District – Ranchi, Jharkhand.
6. The Chief Executive Officer, Ranchi Municipal Corporation, having its office at Municipal Building, near Kutchery Chowk, P.O.-G.P.O., P.S.- Kotwali, District – Ranchi, Jharkhand.
7. Oona fine dine, through its Manager, having its office at Samridhi Building, Kadru- Harmu Road, Near Panch Mandir, P.O. & P.S.- Argora, District – Ranchi, Jharkhand.

…. Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK ROSHAN

Amicus Curiae: Mr. Kumar Vaibhav, Advocate (in 1139/24)
For the State: Mr. Piyush Chitresh, A.C. to A.G.

20/Dated: 11.03.2025

M.S. Ramachandra Rao, C.J.(Oral)

1. In this matter, on 06.02.2025 this Court had passed the following order:-

"Municipal Commissioner, Ranchi Municipal Corporation shall file status of the action being initiated against all roof top bars and restaurants, which are mentioned in paragraph 4 of the supplementary affidavit dt. 22.01.2205 discovered as not constructed as per the approved plan.

List on 27.02.2025."

2. The intention of this Court while passing the said order is that action should be taken against rooftop bars and restaurants which have structural safety issues endangering the safety of the users/customers. For example, the parapet walls or the temporary structures erected on the rooftop bars and restaurants are not safe for use.

3. While granting liberty to the Municipal Commissioner, Ranchi Municipal Corporation, to identify such rooftop bars and restaurants to initiate appropriate action and not insist on an approved plan for a rooftop bar and restaurant, these Public Interest Litigations are closed.

4. Counsel for the State shall communicate this order to the Municipal Commissioner, Ranchi Municipal Corporation.

5. Pending Interlocutory Applications, if any, stand disposed of.

(M.S. Ramachandra Rao, C.J.)

(Deepak Roshan, J.)

Manoj/ Pramanik/Cp.2