

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2336 of 2026

1. Rajesh Kumar Son of Late Ram Nagina Roy, Resident of Village- Bairiya, P.O. Bairiya, Police Station- Gopalpur, Patna- 800007.
2. Pinku Kumar, Son of Visunday Roy, Resident of Village- Bairiya, Post Office- Bairiya, Police Station- Gopalpur, Patna- 800007.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Old Secretariat, Harding Road, Police Station- Sachiwalaya, District- Patna.
2. The Principal Secretary, Rural Development Department, Government of Bihar, Old Secretariat, Harding Road, Police Station- Sachiwalaya, District- Patna.
3. The Principle Secretary, Urban Development and Housing Department, Government of Bihar, Vikas Bhawan, Bailey Road, Police Station- Sachiwalaya, District- Patna.
4. The Secretary, Energy (Electricity), Government of Bihar, Patna, 1st Floor, Vidyut Bhawan, Jawaharlal Nehru Marg, Police Station- Kotwali, Patna.
5. District Magistrate, Patna, Police Station- Gandhi Maidan, Patna.
6. Managing Director, South Bihar Power Distribution Company Ltd, Vidyut Bhawan, Jawaharlal Nehru Marg, Police Station- Kotwali, Patna.
7. Executive Engineer, South Bihar Power Distribution Company Ltd, PESU Electric Supply Division, Kankarbagh- II, Police Station- Kankarbagh, Patna.
8. Station House Officer, P.S.- Gopalpur, District- Patna.
9. Sub Divisional Officer, Patna Sadar, Police Station- Gandhi Maidan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sushil Jhunjhunwala
For the Respondent/s : Mr.Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER



(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-02-2026 The petitioners have filed this Public Interest
Litigation with the following prayer(s):

“i. Issue an appropriate writ, order, or direction, directing the respondents not to construct or install any power sub-station over the land pertaining to Katha No. 812, Khesra No. 374, Mouza-Bairiya, P.S.-Gopalpur, District-Patna, where Prachin Mahavir Mandir is situated.

ii. Quash and set aside any decision, order, or direction, oral or written, issued by the respondents for establishment of a 11000 KW power sub-station within the temple premises.

iii. Direct the respondents to shift the proposed power sub-station to any suitable alternative site, including Ramchak Bairiya or Mouza-Bairiya, or any other location away from the temple and densely populated area;

iv. Restrain the respondents permanently from causing any interference, obstruction, or hindrance in the peaceful functioning, management, and religious activities of the temple and its adjoining land...

v. During pendency of this writ, the respondent no. 6 & 7 be restrained from carrying out further construction of the proposed Power Sub-Station inside the temple premises.”

2. After hearing the learned counsel and going through the averments taken, we find that there is no public



interest is involved in the present Public Interest Litigation. The establishment of Power Sub-Station for supply of electricity to the masses is necessary concomitant of a welfare State and the same can not be interfered, unless there is any cogent and compelling reason. Accordingly, the writ petition stands dismissed.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

Anjani/-

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