

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21047 of 2025

Thakur Prasad Tyagi, State Coordinator, Bihar Pradesh JP Senani Sangharsh Samiti, Resident of uttarwari Pokhra, Ward No. 04, Kalibagh O.P., P.O.- Bettiah, P.S.- Bettiah Town, District- West Champaran, Bihar-845438.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Principal Secretary, Department of Health, Government of Bihar, Patna.
4. The District Magistrate, West Champaran, Bettiah.
5. The Superintendent of Police, West Champaran, Bettiah.
6. The Principal, Government Medical College, Bettiah.
7. The Municipal Commissioner, Bettiah Municipal Corporation, West Champaran.
8. The Mayor, Bettiah Municipal Corporation, West Champaran.
9. The Circle Officer, Bettiah Sadar, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy, Advocate
For the State : Mr. Advocate General
For the Corporation : Mr. Priyadarshi Matri Sharan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



Date : 16-02-2026

This writ petition has been filed by Thakur Prasad Tyagi in the nature of Public Interest Litigation for issuance of a direction to the Municipal Commissioner and the Mayor of Bettiah Municipal Corporation for not prohibiting to construct Public toilet over Plot No. 5227.

2. As per order no.2, dated 09.01.2026, the learned counsel for respondent no.7 has filed the counter affidavit wherein it is stated as follows:

“4. That, the fact of this case in brief is that Plot No. 5227 admeasuring 5 Acre 99 Decimals equivalent to 4 Bigha 5 Katha is recorded in Khatiyar as Gair Majarua Malik (Parti Kadim).

5. That, it is not out of place to mention here that, vide Letter No. 1329 dated 01.09.2023, a meeting of District Level Coordination and Monitoring Committee (Disha) was held on 02.06.2023 under the Chairmanship of Hon'ble Member of Parliament and from perusal of Para-12, it is evident that a direction has been given to the Municipal commissioner for making construction of Public Toilet at Mina Bazar, Bettiah.

6. That, it is pertinent to mention that a Public toilet is/was in existence since more than 50 years upon Plot No. 5227 at the North-Eastern corner and outside the boundary of Government



Medical College, Traffic Chowk, Near Mina Bazar, Bettiah.

7. That, it is further pertinent to mention that the condition of the existing toilet was very dilapidated. As such, in public interest, on 19.07.2025, a General Body meeting of the Municipal Corporation Board was convened under the Chairmanship of the Mayor and in presence of Ward Councillors and Officer and Officers and approval was given vide Proposal No.15 for making construction/renovation of the Public Toilet at the Traffic Chowk, Near Mina Bazar, Bettiah.”

3. On perusal of such affidavit, it is apparent that the Public Toilet, in question, was in existence since 50 years upon Plot No. 5227 and since the condition of the Toilet was not good and it required renovation in public interest, a General Body Meeting of the Municipal Corporation Board was convened under the Chairmanship of the Mayor and in presence of Ward Councillors and Officers, proposal was approved regarding construction/renovation of the Public Toilet at the Traffic Chowk, Near Mina Bazar, Bettiah and the work order was issued and, in the meantime, the construction work of toilet is already over. The photographs have also been annexed to the counter affidavit, filed by respondent no.7.

4. In view of such stand taken by the respondent



no.7 in the counter affidavit, nothing more remains to be adjudicated in the present Public Interest Litigation.

5. Accordingly it is disposed of.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

uday/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	18.02.2026
Transmission Date	NA

