

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6775 of 2022

Rajiv Ranjan Singh S/o - Prabhunath Singh R/o – Village - Damodarpur
Purab Tola, Near Shiv Mandir, ward No-2, P.O.-Sarai P.S. - Sarai, District -
Vaishali (Bihar), Pin Code-844125.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Main Secretariat, Patna Pin Code-800015
2. The Principal Secretary, Minor Water Resources Department, Government of Bihar, New Secretariat, Patna (Bihar). Pin Code-800015
3. The Principal Secretary, Environment and Forest Department Government of Bihar, Secretariat, Patna (Bihar) Pin Code-800015
4. The District Magistrate (D.M.), District- Vaishali (Bihar), Kachahari Road, Hajipur, Vaishali, Pin Code-844101

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

Mr. Sanju Singh, Advocate

For the Respondent/s : Mr. Anjani Kumar, AAG4

Mr. Utkarsh Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 12-01-2023

Heard Mr. Birendra Kumar, learned Advocate for the petitioner and Mr. Anjani Kumar, learned Additional Advocate General No. 4 for the State.

Mr. Anjani Kumar has informed this Court that pursuant to the order dated 14.12.2022, a Committee was constituted by the District Magistrate, Vaishali comprising three members, to look into the matter and report.



The Committee made a spot inspection and suggested actions to be taken for renovation, beautification, conservation and proper care of the pond and the surrounding eco-system.

It was pointed out by the Committee that the Minor Irrigation Division Department, Hajipur would be required to execute the work of levelling and dressing of the banks of the pond, including construction of inlets and rest of the work for renovation of pond.

The Vaishali Forest Division, Hajipur would also be obligated to depute a permanent employee for taking proper care of the forestation/plantation schemes introduced.

There would be requirement of additional plantation around the pond and to ensure that the newly planted trees do not dry up, effective and continuous watering of such plants would also be required.

The process of beautification and preservation of pond would remain incomplete unless, around the pond, a staircase is made and



lighting arrangements are done so that it could attract tourists as well.

The Committee has suggested certain measures to be taken by different departments of the Government keeping in mind that the pond in question is an old one and is being used for supply of potable water, irrigation etc. Hence, to maintain the water level in the pond, additional arrangements for water conservation would also be required. Another suggestion of the Committee is that the place can be beautified, if a park also is developed in the vicinity.

We are extremely happy to note that necessary inputs provided by the Committee constituted for the purpose.

The suggestions made by the Committee make sense and we have no manner of doubt that in case those suggestions are implemented, it would go a long way in developing the pond as a place of interest for all, more particularly for preservation of nature.



We are reminded of the serious effects of not caring for nature when the mother-earth resorts to its own divine ways of restoring it.

Lest that may not happen, we are of the view that the suggestions given by the three members Committee constituted by the District Magistrate, Vaishali be given serious thought by various branches of the Government and necessary sequel action be taken after preparation of a road-map for the future course of action.

We deem it appropriate to conclude this proceeding by giving the responsibility to the District Magistrate, Vaishali to interact with various departments of the Government in the light of the order passed in this Public Interest Litigation Petition including the previous orders and to ensure that a road-map is formulated and unfinished work by the Minor Irrigation Department be completed. Forestation as well as the upkeep of eco-system in whichever manner is possible, be taken forward.

The promptitude shown by the authorities in inspecting the site and suggesting measures gives



us the confidence that it shall be done and the petitioner, or for that matter, any person, would not have any cause to grieve.

It is expected that necessary work in that regard shall be taken up and the plans executed within the next six months.

Before we end, we further direct the District Magistrate, Vaishali to ensure that the pond and the surrounding area remain unencroached and if there is any attempt at encroachment, it should be dealt with, of course, in accordance with law, but without any delay.

The petition stands disposed of.

(Ashutosh Kumar, J)

(Satyavrat Verma, J)

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AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	16.01.2023
Transmission Date	

