

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5188 of 2021

Gaurav Kumar Singh, Son of Anjani Kumar Singh, Resident of Flat No. 302,
Shashi Sudama Niketan, Road No. 02, Rajendra Nagar, P.o.- Rajendra Nagar,
p.S.- Kadamkuan, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar at Patna
2. The Department of Art and Culture through the Principal Secretary, Government of Bihar at Patna
3. The Principal Secretary, Department of Art and Culture, Government of Bihar at Patna
4. The Department of Tourism through the Principal Secretary, Government of Bihar at Patna
5. The Principal Secretary, Department of Tourism, Government of Bihar, Bihar at Patna
6. The Department of Revenue and Land Reforms, Government of Bihar, Bihar at Patna
7. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Bihar at Patna
8. The Department of Road Construction through the Principal Secretary, Government of Bihar, Bihar at Patna
9. The Principal Secretary, Department of Road Construction, Government of Bihar, Bihar at Patna
10. The Department of Urban Development and Housing through the Principal Secretary, Government of Bihar, Bihar at Patna
11. The Principal Secretary, Department of Urban development and Housing, Government of Bihar, Bihar at Patna
12. The Department of Environment, Forest and Climate Change through the Principal Secretary, Government of Bihar, Bihar at Patna
13. The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Bihar at Patna
14. The Bihar State Religious Trust Board, through its Chairman, Bihar at Patna
15. The Chairman, Bihar State Religious Trust Board, through its President, Bihar, at Patna
16. The Commissioner, Patna Division, District- Patna
17. The District Magistrate, Patna, District- Patna
18. The Municipal Commissioner, Patna , District- Patna
19. The Superintendent of Police, Patna, District- Patna
20. The Jalla Mandir Vikas Trust, Jalla Mandir Temple through its Trustee, Patna, District- Patna



21. The Secretary, Jalla Mandir Vikas Trust, Jalla Mandir Temple, Patna, District- Patna
22. The Union of India through the Cabinet Secretary of India, New Delhi-110001.
23. The Cabinet Secretary of India, Government of India, New Delhi- 110001.
24. The Secretary, Ministry of Culture, Government of India, New Delhi-110001.
25. The Secretary, Ministry of Tourism, Government of India, New Delhi-110001.
26. The Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi- 110001.
27. The Secretary, Ministry of Housing and Urban Affairs, Government of India, New Delhi- 110001.
28. The Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi- 110001.
29. The Bihar State Pollution Control Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Anjani Kumar, AAG-4
Mr. Alok Kumar Rahi, A.C. to AAG-4
Mr. Utkarsh Bhushan, Advocate
Mr. Prasoon Sinha, Advocate
Mr. Shivendra Kishore, Sr. Advocate
Mr. Parijat Saurav, Advocate

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 25-07-2023

Consistently none appeared for the petitioner. Since the writ petition was a Public Interest Litigation, we looked into the records and also heard the learned Additional Advocate General who appeared on behalf of the respondent State.

2. The writ petition was filed for the protection and preservation of Jalla Hanuman Temple for its maintenance,



removal of encroachments, installation of CCTV cameras, street lights near the temple and other miscellaneous works so as to develop the surrounding area as a tourist temple.

3. On various orders issued by this Court now the encroachments stand removed. The Circle Officer, Patna Sadar by the counter affidavit dated 27.10.2021 specifically stated that in the presence of the deputed Magistrates, police personnel, Circle Officer, Patna Sadar and local residents, the encroachments were removed. The Secretary of the Jalla Mahaveer Sthan Nyas Samiti, Patna has also communicated the fact of removal of encroachments as per Annexure-C. The Circle Officer also submits that the Station House Officer, Bypass Police Station, Patna City has been directed to make regular monitoring of the premises of the temple to ensure that there is no further encroachment.

4. In so far as the maintenance and development of the spot, these are all policy matters which we would not direct. We see that there is also a proposal to build temporary fencing for which funds were sourced by the State; which also has to be decided by the State in consultation with the organizers of the Temple and so far as possible enable such fencing with the income generated from the temple itself.



5. We find no reason to keep the writ petition pending
and we dispose of the same.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	31.07.2023
Transmission Date	

