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(2020) 12 PAT CK 0299

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 16018 Of 2019

Dr. Renu Kumari — APPELLANT

Vs

Union Of India And Ors — RESPONDENT

Date of Decision : 08-12-2020

Acts Referred:

Citation : (2020) 12 PAT CK 0299

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Apurva Kumar, Kumar Vikram, Avinash Chandra, Yogendra Prasad Sinha, Binita Singh, Abhimanyu Singh, Yashraj Bardhan, Uday Bhan Singh

Final Decision : Disposed Of

Judgement

Petitioner has prayed for the following relief(s)-

â??For improvement of the quality of air in the city of Patna by controlling the vehicular pollution and by maximizing the use of CNG and electric

vehicles and for issuance of an appropriate writ, order/orders, direction/ directions commanding the respondent authorities for the following reliefs:-

(a) To curb the pollution especially vehicular pollution on the road of District Patna.

(b) For taking effective measures and steps for controlling/monitoring the uncontrolled and irrational running of vehicles especially diesel vehicles on

the roads of district of Patna, especially when a substitute in the way of electric vehicles or CNG vehicles are available in the market.

(c) For direction to the respondent authorities especially respondent no. 11 for implementation of action plan for control of air pollution in non-

attainment city of Bihar, Patna.(As derived from website of Bihar State Pollution

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Control Board).

(d) For directing respondent no.2 and 16 to increase the number of compressed natural gas(CNG) filling stations which is currently only two in number

in the district of Patna.

(e) For directing respondent no.6 for transforming all the city buses of Patna from diesel vehicles to CNG vehicles.

(f) For directing State of Bihar to answer as to why not the phrase ""Charity begins at home"" be not implemented as either by State Government (set

example) by transforming all its diesel vehicles into CNG/electric/environment friendly vehicles.

(g) For directing the respondent authorities for developing green corridor including parks, trees, by the side of roads in the district of Patna as the

plants play an important role in mitigating the ill effect of rampant urbanization.

(h) For directing the respondent no.6 in collaborations with respondents nos.4,11,13 and 15 to strictly implement its own circular in its letter and spirit

of removing the 15 year old vehicle especially diesel vehicle (major of which is city ride buses) from playing on the roads of district of Patna.

(i) For directing the respondent authorities to set up sufficient number of charging points in Patna for encouraging use of electric vehicles.

(j) For directing the respondent authorities to set up deadlines for phased out ban/removal of all type of vehicles (specially diesel vehicle) including

public, commercial, pick-up vans, school buses, ambulances, police movement vehicle etc. and all other type of vehicles from the roads of Patna and

further set a deadline to convert/transform them to if not removed to eco friendly vehicle i.e. either CNG or electric.â??

(k) For any other suitable order/orders, relief/reliefs as prayed by petition during the course of arguments.â??

Learned counsel appearing for the Pollution Control Board invites our attention to the fact that the writ petitioner has prayed for identical relief in a

matter, which is pending before the National Green Tribunal being O.A. No. 681 of 2018, titled as News Item published in â??The Times of Indiaâ??

Authored by Shri Vishwa Mohan Titled NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around August 15â??.

In view of the same, we close the present proceedings reserving liberty to the petitioner to agitate the issue before the appropriate forum, if need so

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arises.

Interlocutory application, if any, shall stand disposed of.

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