
(2012) 03 JH CK 0012
In the Jharkhand High Court
Case No : W. P. (PIL) No. 6141 of 2008

Rajneesh Misra

APPELLANT

Vs

The Union of India and others

RESPONDENT

Date of Decision : 20-03-2012

Acts Referred:

Citation : (2012) 03 JH CK 0012

Hon'ble Judges : Prakash Tatia, C.J;Aparesh Kumar Singh, J

Bench : Division Bench

Advocate : Delip Jerath and Rajesh Kumar and Mr. M. S. Anwar for the Union of India, for the Appellant; A.K. Pandey for the J.S.P.C., for the Respondent

Judgement

1. The Secretary of the Transport Department was called in Court in W.P. (P.I.L.) No. 635 of 2002 which is apparent from the order dated 13th February, 2002. However, this writ petition is pending since 2008 and there is no control of pollution in the city of Ranchi inspite of the fact that it is a capital city of the State of Jharkhand and, therefore, this Court directed the Union of India and the State Government vide order dated 02.01.2012 to come out with their stands. Learned counsel for the Union of India submitted that in view of the policy decision till gas through pipe line reaches to the city of Ranchi it will not be possible for opening of the C.N.G. outlets.

2. Learned counsel for the Union of India sought time to file submission in writing. The State has also not submitted any affidavit in response to the order dated 02.01.2012.

3. The situation is becoming grave and graver and, therefore, the Secretary, Transport Department is directed to remain physically present in Court on 17th April, 2012.

4. Put up on 17th April, 2012

I.A. No. 2882 of 2011

5. I.A. No. 2882 of 2011 has been submitted by the applicant seeking order for removal of encroachment.

6. We do not find any justification for moving this application in view of the order passed in the P.I.L. and, therefore, he may approach to the concerned authority with copy of this order upon which the authority may take action and otherwise the applicant may follow the decision given in the P.I L. wherein he can straightway initiate the contempt proceeding. I.A. No. 2882 of 2011 is disposed of accordingly.