

(2020) 10 PAT CK 0075

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 8602 Of 2020

Ranjan Kumar Srivastava

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 14-10-2020

Acts Referred:

Citation : (2020) 10 PAT CK 0075

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

Bench : Division Bench

Advocate : Ranjan Kumar Srivastava, Prabhat Kumar Verma, Divya Verma

Final Decision : Disposed Of

Judgement

Petitioner has prayed for the following relief(s):

"A. To issue an appropriate writ/writs, order/s direction/s in the nature of Mandamus for commanding/ directing the respondents to allow and grant permission for the establishment of Goddess Durga Idols & Pandals during Durga Puja which starts from 16.10.2020.

B. Direct the respondents to change their decision of not allowing the building and establishment of Goddess Durga Idols & Pandals on this auspicious festival of Durga Puja as per the news published in daily Newspapers dated 30.09.2020 & 04.10.2020 respectively (Annexure-2 & 3).

C. Pass such other Order/Orders as your Lordships may deem fit and proper."

We find the present petition to be devoid of material facts necessitating even issuance of notice.

Petitioner claims to be a public spirited person, but what work he has done for pursuing the agitated public cause is not stated in the petition.

On the basis of news paper reports he wants the Court to believe that the authorities are not rightfully discharging their duties.

Even the news paper reports so annexed do not reflect the position to be so.

According to the petitioner, the authorities are not according permission for setting up Pandals commonly termed as "Durga Pandals" in terms of guidelines dated 30th of September, 2020 issued by the Ministry of Home Affairs (Annexure-1).

Well, before us there is nothing to even prima facie show as to whether any person, much less the petitioner, ever approached the authorities seeking permission to set up a Pandal or that the said guidelines are not being implemented in letter and spirit.

At this stage, learned counsel for the petitioner states that the petitioner shall be content if a direction is issued to the respondent authorities to consider and decide the petitioner's request, which the petitioner shall be making latest by tomorrow, considering that the festival of Durga Puja would commence from 17th of October, 2020 onwards.

Without expressing any opinion on merits, we direct the authorities concerned to consider and decide the petitioner's request, if so received, expeditiously and preferably before 17th of October, 2020.

The writ petition stands disposed of in the aforesaid terms.