



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4680 of 2018

Md. Abulaish Son of Sekh Nuruddin, Resident of Village-Dhovani, P.S. Sathi,
District-West Champaranb.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Regional office of Bihar State Pollution Control Board, Muzaffarpur through the regional Office
3. The State of Bihar through the Secretary, of the Home Department, Patna.
4. The District Magistrate, West Champaran.Bettiah.
5. The Sub-Divisional Officer, Narkatiyaganj, West Champaran.Bettian.
6. The District Mining Officer, West Champaran, Bettiah.
7. Moti Sah Son of Shivraj Sah, Resident of Village-Belawa, P.S.-Sathi, District-West Champaran, Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur, Advocate
For the Respondent/s : Mr.Anant Pd. Singh- SC15

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 20-01-2026

Heard the parties.

2. The petitioner has moved the Court for the following reliefs:

“That this writ petition is being filed for a issuance a writ order or direction in the nature certiorari to quash the letter no. 1679 dated 6.12.2017 as passed by the respondent no.2 and for issuance a direction in the nature of mandamus commanding the respondents to restrain the brickkiln of Sahoo proprietor of respondent no. 7 situated at Thana No. 492, Khata No. 6. Mauja- Hichhopal, P.S.-Sathi, District West Champaran and/or to pass such appropriate order by which the petitioner is entitled.”





3. The petitioner was directed to file a supplementary affidavit vide order dated 06.01.2026 regarding the dimension of land in question in the present writ along with the fact as to how many trees are planted in the aforesaid land in question, which has not been done.

4. From the counter affidavit of the Pollution Control Board, it appears that that the Pollution Control Board has said that the brickkiln could have been established at a distance of 400 metres from the orchard.

5. In these circumstances, this application is disposed of with liberty to the petitioner to approach the Pollution Control Board afresh. If the Pollution Control Board during enquiry finds that the brickkiln is not in accordance with the guidelines, it will pass an order in accordance with law. If the brickkiln is found to be running in accordance with the guidelines, appropriate order shall be passed.

(Sandeep Kumar, J)

P. Kumar

