

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23652 of 2013

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1. Ranjeet Kumar S/O Late Ramanuj Prasad Singh Resident Of Kadam Kuan, Justice B.N. Rai Road, Police Station- Kadam Kuan, In The District Of Patna.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Urban Development Department, Government Of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government Of Bihar, Patna.
3. The Registrar, Co- Operative Societies, Patna, Bihar
4. The Administrator, Patna Municipal Corporation, Patna.
5. The Nagar Parishad, Phulwari Sharif Through Its Executive Officer.
6. The Executive Officer, Nagar Parishad, Phulwarisharif.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Respondent/s : Mr. Hargovind Singh Himkar, Adv.

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CORAM: HONOURABLE MR. JUSTICE NAVIN SINHA
and
HONOURABLE MR. JUSTICE SHAILESH KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVIN SINHA)

2 24-12-2013 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner prays for leave to delete respondent No.4, the Administrator, Patna Municipal Corporation, acknowledging that the matter lies outside its jurisdiction.

The allegation in this public interest litigation relates to the Nagar Parishad, Phulwarisharif, inter alia Shakti Nagar, Purnendu Nagar, Saket Vihar, Mitra Mandal Colony etc. The petitioner alleges constructions beyond



permissible height on roads less than 20 feet in width. It further alleges construction of apartments on lands allotted to members by a co-operative Housing Society. In C.W.J.C. No.8152/13 (Narendra Mishra vs. State of Bihar), noticing gross violations of the law encouraged by the government authorities themselves detailed directions have already been given for the Municipal area of Patna. The same laws and issues arise presently also for enforcement.

Court orders are required to be complied without requiring or asking for similar directions every time in individual cases.

The Secretary, Urban Development Department, The Registrar Co-operative Societies and the Executive Officer, Nagar Parishad, Phulwarisharif, are directed to act in accordance with similar directions in (Narendra Mishra) (supra). The answerability and accountability of all the three officers in the contempt jurisdiction shall be individual and joint.

The application is disposed.

(Navin Sinha, J)

(Shailesh Kumar Sinha, J)

K.C.jha/-