

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.157 of 2014

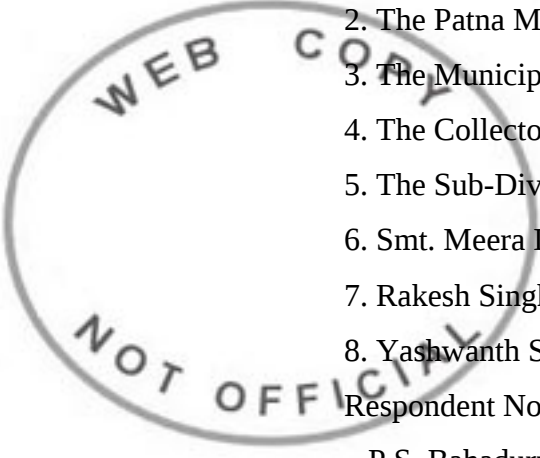
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1. Deepak Kumar Mukherjee, Son of Pranab Dev Mukherjee, Block No. 1, Flat No. 3-D
2. Monika Jain, Wife of Sri Arun Jain Block A, Flat No. 1C.
3. Ruby, Wife of Sri Divya Jyoti Block A, Flat No. 1C.
4. Munni Kumari, Wife of Sri A.K. Srivastava Block A, Flat No. 1E.
5. Nita Saigal Wife Of Sri B.K. Saigal Block No. A, Flat No. 2A
6. Prem Kumar Gupta, Son of Sri Rup Narayan Gupta, Block A Flat No. 2C
7. Jamwant Ram, Son of Late Bindeshwari Ram, Block A, Flat No. 2D
8. Ranjana Verma, Wife of Sri Mukteshwar Nath Verma, Block No. A, Flat No. 2E
9. Asha Srivastava, Wife of Late V.B.P. Srivastava Block A, Flat No. 3E
10. Indrajeet Saxena, Son of Late Anup Prasad, Block B, Flat No. 4B
11. Gayanand, Son of Dinesh Chandra, Block B, Flat No. 3E
12. S.K. Singh, Son of Late R.P. Singh, Block No. B, Flat No. 3D
13. S. Kumar, Son Of Chandeshwar Prasad, Block No. B, Flat No. 3A
14. Devendra Kumar, Son of Ram Kedar Ram, Block No. B, Flat No. 3D
15. Anand Prakash, Son of Sri Akhilesh Prasad Srivastava, Block B, Flat No. 4D
16. Sanjay Kumar, Son Of Late Yogendra Prasad, Block No. C, Flat No. 4E
17. Ashok Kumar, Son Of Late R.K. Prasad, Block No. C, Flat No. 4D
18. Neeraj Sinha, Son Of Sri K.P. Sinha, Block C, Flat No. 2E
19. Durgesh Ranjan, Son Of Birendra Prasad Block No. C, Flat No. 2C
20. Ashok Kumar Singh, Son Of Late Shiv Kumar Singh Block No. C, Flat No. 3A
21. Archana Singh, Wife Of Sri Amlendu Ranjan, Block No. C, Flat No. 1B,1-C,1-D & 1E.
22. Raju Kumar, Son Of Harendra Prasad, Block No. C, Flat No. 1C
23. Kumar Birendra Sinha, Son Of Late N.K. Narayan, Block C, Flat No. 3C
24. Sheo Kumar Gupta, Son Of Late Dr. Ram Roop Prasad Gupta, Block C, Flat No. 2D.

All residents of Sheesh Mahal Apartment, Near Bahadurpur Railway Crossing,
Bahadurpur, Patna.

.... Petitioners

Versus

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1. The State Of Bihar through the Principal Secretary, Department Of Housing And Urban Development, Secretariat, Patna
 2. The Patna Municipal Corporation through The Municipal Commissioner, Patna
 3. The Municipal Commissioner, Patna Municipal Corporation, Patna
 4. The Collector, Patna
 5. The Sub-Divisional Officer, Patna City, District Patna
 6. Smt. Meera Devi, Wife of Sri Baidyanath Singh
 7. Rakesh Singh, Son of Baidyanath Singh
 8. Yashwanth Singh, Son of Baidyanath Singh
- Respondent Nos. 6 to 8 are residents of Mohalla Bahadurpur,
P.S. Bahadurpur, District Patna
9. M/S Ravi Developers, Sheesh Mahal Apartment, Near Bahadurpur Railway
Crossing, Bahadurpur, Patna

.... Respondentss

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Appearance:

For the Petitioner/s : Mr. Sushil Kumar Jha, Adv.

For the Respondent/s : Mr. Satya Deo Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 09-02-2015 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners complain of illegal constructions in
the open space available within the Sheeshmahal Apartment
situated near Rajendra Nagar, Road No. 13-C, Bahadurpur
Railway Gumti, Bahadurpur in the town and district of Patna.

Although Mr. Jha, learned counsel for the
petitioners has referred to a representation filed on behalf of the
Apartment owners before the Municipal Commissioner on

05.06.2013 making such prayer, a copy of which is placed at Annmexure-4/A to the writ petition but in the opinion of this Court, the remedy for the petitioners would lie by filing an appropriate application before the Municipal Commissioner under the provisions of the Bihar Municipal Act, 2007 and the bye-laws framed thereunder raising such grievance and the petitioners shall be at liberty to take recourse to the same.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

Vats/-

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