WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.367 of 2015

==========

1. 1. Krishna Deo Singh S/o Late Ram Bharosa Singh, resident of B-30, Anand Vihar Colony, P.O.- Bihar Veterinary College, P.S.- Rupaspur, District- Patna.
2. Binod Kumar S/o Kirshna Deo Singh, resident of B-30, Anand Vihar Colony, P.O.- Bihar Veterinary College, P.S.- Rupaspur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Urban Development and Housing Government of Bihar.
2. District Magistrate Patna.
3. Commissioner Patna Municipal Corporation, Third Floor, Maurya Lok Complex, Patna-800 001.
4. The vigilance Officer, Patna Municipal Corporation, Third Floor, Maurya Lok Complex Patna - 800001
5. The Registrar Co-operative Societies, Bihar Vikash Bhawan, Patna-800015
6. The District Co-operative Officer, Patna, Budh Marg, Patna-800001 Smt. Indu Kumari , Co-operative Inspector, Office of the Assistant Registrar Co-operative Societies, Patna Circle, Budh Marg, Patna and Liquidator of Anand Nagar Sahkari Grih Nirman Samiti Ltd., Patna-800001
7. Sheo Kumari Devi W/o Late Uma Kant Singh, resident of C-23, Anand Vihar Colony , P.O.- Bihar Veterinary College, P.S.-Rupaspur, District - Patna.

.... Respondent/s

==========

Appearance:
For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the State-Respondent/s : Mr. Ashok Priyadarshi, G.A.-4
Mr. Mani Madhukar, A.C. to G.A.-4
For the P.M.C. : Mr. Sanjay Prakash Verma, Advocate

==========

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-02-2015 None appears on behalf of the petitioner.

Counsel for the State and Municipal Corporation are present.

The petitioner complains of encroachment on a public road which as per the petitioner has been given for public utility purpose by the Anand Nagar Sahkari Grih Nirman Samiti bearing Survey Plot No. 198 at village Rukunpura in the district of Patna.

According to the petitioner, the private respondent no. 8 has constructed a commercial structure beyond the permissible limit and in excess of the plot no. C23 allotted in favour of her husband late Mr. Uma Kant Singh by the Anand Nagar Sahkari Grih Nirman Samiti.

A perusal of the proceedings manifests that a representation has been filed by the petitioner before the Registrar, Co-operative Societies on 5.3.2013 and which has remained pending and hence this application.

The complaint of the petitioner is that the private respondent no. 8 has not only constructed in excess of the plot allotted by the Registrar, Co-operative Society but has also violated the provisions of the Bihar Municipal Act and the rules framed thereunder.

Since there is no representation on behalf of the petitioner hence having perused the records and after hearing the counsel for the respondents, the writ petition is disposed of with a

liberty to the petitioner to file a comprehensive application before the Registrar, Co-operative Society and who shall consider and dispose of the same in accordance with law and after giving an opportunity of hearing to the private respondents.

(Jyoti Saran, J)

S.Sb/-

U			