

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.15073 of 2014**

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1. Brij Bilas Tiwary Son of Fekan Tiwary resident of Parmeshwar Lane,  
P.S.: Kadamkuan, District: Patna, at present residing at Kasturba Gandhi  
Path, Boring Road, P.S.: S.K. Puri, District: Patna

.... .... Petitioner/s

Versus

1. Patna Municipal Corporation, Maurya Lok Complex, Dak Bunglow  
Road, P.S.: Kotwali, District: Patna through its Commissioner

2. The Municipal Commissioner, Patna Municipal Corporation, Maurya  
Lok Complex, Dak Bunglow Road, P.S.: Kotwali, District: Patna

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. N.K. Malhotra, Sr. Adv & Mr. Binod Kr.  
Sinha

For the Respondent no.1 : Mr. Prasoon Sinha,

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      04-05-2015      The petitioner seeks direction to the respondents to cause  
  
an inspection of the buildings constructed on the private land as  
well as the land leased by the erstwhile P.R.D.A. in the city of  
Patna and take action vis-à-vis deviations. It is stated that a  
representation has been made on 25-7-2014(Annexure-1/A) and  
no action has been taken thereof.

Heard learned counsel for the petitioner and learned  
counsel for the Patna Municipal Corporation.

If one closely reads the writ petition, it becomes clear

that the petitioner was aware of the fact that the Corporation and other authorities have initiated steps against the owners or agents that have deviated from the action plans. However, the grievance of the petitioner is that the respondents have discriminated in this behalf. He did not mention any instance where the said deviation is said to have taken place.

Under these circumstances, we find it difficult to accede to the request of the petitioner. At the same time, in case the petitioner is of the view that any building is constructed violating the provision of law, he can certainly bring it to the notice of the Corporation by submitting a representation furnishing such information.

This writ application is accordingly disposed of, leaving it open to the petitioner to file representation before the Corporation and the latter shall take necessary steps in accordance with law. We make it clear that the petitioner will not be entitled to file contempt application alleging violation of this order.

**(L. Narasimha Reddy,CJ)**

B.Roy/-

**(Sudhir Singh, J)**

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