

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6560 of 2014

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1. Zahra Ahmad Wife of Late S. Shaukat Imam Resident of Sadar Gali, P.S. Kajekala, P.O. Jhauganj, Patna City, District Patna - 800008.

.... Petitioner/s

Versus

1. The Patna Municipal Corporation through Commissioner, Patna Municipal Corporation, Patna.
2. The Commissioner, Patna Municipal Corporation, Patna.
3. The Executive Officer, New Capital Circle (North), Patna Municipal Corporation, Patna.
4. The State of Bihar through District Magistrate, Patna.
5. The Sr. Superintendent of Police, Patna.
6. The Superintendent of Police, Patna.
7. The Officer-Incharge, S.K. Puri, Police Station - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv.

For the Respondent/s : Mr. Ashok Kumar Keshri, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 07-07-2015 Learned counsel for the parties are present and have been heard.

The relief prayed herein has already been granted to the petitioner in the judgment and order passed by this Court in C.W.J.C.No.5319 of 2000, a copy of which is placed at Annexure-1 to the writ petition.

Firstly a second writ petition would not lie for the same set of relief and even if the said judgment of this Court passed in C.W.J.C.No.5319 of 2000 and the mandamus issued thereunder regarding delivery of possession, is not being complied with by

the authorities of the Patna Municipal Corporation who have succeeded the erstwhile Patna Regional Development Authority, the remedy of the petitioner would lie elsewhere and not by filing second writ petition.

It is rather surprising that even when Mr. Gautam Kumar Kejriwal learned counsel for the petitioner admits to the fact that a contempt petition arising from M.J.C. No. 473 of 2014 as well as a Civil Review application bearing No.336 of 2014 remains pending for consideration before the Bench concerned, the petitioner has chosen to initiate a third round litigation by way of the present writ petition which according to this Court is absolutely misconceived.

The writ petition and the interlocutory application are accordingly dismissed.

(Jyoti Saran, J)

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