

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 1265 of 2002

Arising out of

Civil Writ Jurisdiction Case No. 8750 of 2002

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1. Patna Regional Development Authority, Maurya Lok Complex, P.S.-Kotwali, District-Patna, through the Vice Chairman, PRDA, Patna.
 2. The Vice Chairman, PRDA, Maurya Lok Complex, P.S.-Kotwali, District-Patna.

.... Appellant/s/Respondent/s

Versus

Md. Badiuzzaman, son of Late H. Nurul Hoda, resident of Zaman Manjil, opposite Catholic Church, Ashok Raj Path, P.S.-Pirbahore, District-Patna.

.... Petitioner/s Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 16-04-2015

In the present appeal notice was issued in admission matter under order dated 20.01.2005 and the operation of the impugned order passed by learned Single Judge of this Court dated 16.09.2002 in CWJC No. 8750 of 2002 and analogous matters was stayed.

From the office note, it appears that the notice issued on the concerned respondent has not yet been served. During the pendency of the present appeal because of the stay of the impugned order, the authorities of the then PRDA proceeded and the constructions were demolished and new constructions have also come up.

In the circumstances, prayer made in the present

appeal to set aside the order of the learned Single Judge has become infructuous and in that view of the matter, we dispose of the appeal granting liberty to the successor Patna Municipal Corporation to proceed in accordance with law, if required.

(V.N. Sinha, J.)

(Ahsanuddin Amanullah, J.)

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