

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 1234 of 2002

Arising out of

Civil Writ Jurisdiction Case No. 8896 of 2002

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

.... Appellant/s/Respondent/s

Versus

1. Vishambhar Lal Jhunjhunwala, son of Nand Lal Jhunjhunwala, resident of Fraser Road, P.S.-Kotwali, District and Town Patna.
2. Shyam Kumar Bansal son of late Shushil Bansal, proprietor of Shyam Tea Stores, Fraser Road, Patna, P.S. Kotwali, District- Patna.
3. Shushil Kumar Agrawal, son of Bansidhar Agrawal, resident of 16/A Arya Kumar Road, Rajendra Nagar, District-Patna.

.... Respondent/s/Petitioner/s 1st Set.

4. State of Bihar through the Secretary, Urban Development Department, New Secretariat Patna.
5. District Magistrate, Patna

-----Respondent/s IInd Set

6. Sudha Prakash W/o Late Chandra Prakash, Resident of 22 Gomati Apartment, East Boring Canal Road P.S. Budha Colony, District-Patna.

-----Respondent IIIrd Set

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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. 8896 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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