

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4143 of 2014

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Smt. Reeta Singh, wife of Sri Ashok Kumar Singh, resident of Flat No.3B, Naman Apartment, New Patliputra Colony, P.S. Patliputra, District – Patna.

.... Petitioner/s

Versus

1. The Patna Municipal Corporation, Dak Bunglow Road, Maurya Lok Complex, P.S. - Kotwali, District – Patna.
2. The Municipal Commissioner, Patna Municipal Corporation, Dak Bunglow Road, Maurya Lok Complex, P.S. - Kotwali, District – Patna.
3. The Vigilance Officer, Patna Municipal Corporation, Dak Bunglow Road, Maurya Lok Complex, P.S. - Kotwali, District - Patna .
4. M/S Naman Colonizer Pvt. Ltd. Savitri Sadan Apartment, Nageshwar Colony, Boring Road, Patna – 1.
5. Mr. Ajay Rajwani, Director, M/S Naman Colonizer Pvt. Ltd. Savitri Sadan Apartment, Nageshwar Colony, Boring Road, Patna- 1, resident of Sindhi Colony, Boring Canal Road, Patna – 1.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha

For the Respondent/s : Mr. Ranjeet Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 20-04-2015

Learned counsel for the parties are present.

The petitioner has moved through the present writ petition raising a grievance that a miscellaneous application filed by her before the Municipal Commissioner, Patna Municipal Corporation under the provisions of the Bihar Apartment Ownership Act, 2006 read with the provisions of the Bihar Municipal Act, 2007 has not yet been disposed of.

Seeking adjournment, to ascertain the status of the matter, Mr. Ranjeet Kumar Pandey, learned counsel appearing for the Patna Municipal Corporation today submits that there is no such application in the records of the Corporation for initiation of any proceeding.

The petitioner raises a complaint against the private respondents of engaging in constructions which are in violation of the provisions of the Bihar Municipal Act and the Bye-laws framed thereunder.

Mr. Prashant Sinha, learned counsel has appeared for the petitioner while the Corporation is represented by Mr. Ranjeet Kumar Pandey and they have been heard.

Taking note of the grievance raised by the petitioner and the instruction in possession of the counsel for the Corporation where no such application has been found in the records of the Municipal Corporation, this writ petition is disposed of with a liberty to the petitioner to file a duly constituted application before the Municipal Commissioner, Patna Municipal Corporation by arraigning the private respondents as parties and it goes without saying that any such application filed by the petitioner would be considered by the Municipal Commissioner and be disposed of after giving opportunity of hearing to the petitioner as well as the private respondents who have been allegedly charged with violation of the Municipal Bye-laws.

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(Jyoti Saran, J)

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