

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1745 of 2010

IN

Civil Writ Jurisdiction Case No. 8270 of 2009

=====

Ram Binay Singh, Son of Late Nageshwar Singh, resident of 401-B, Priyadarshni Apartment, Boring Road, P.S. Budha Colony, Town and District Patna

.... Appellant/s

Versus

1. Patna Municipal Corporation through Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, Patna
2. Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, Patna
3. Sanjay Singh, M.L.C., Son of Sri Gobardhan Prasad Singh, resident of 22 Strand Road, P.S. Sachiwalay, Patna
4. K.B. Srinivasan, son of not known, resident of Flat No. 402A, Block-A, Priyadarsani Apartment, Boring Canal Road, P.S. Budha Colony, District Patna

.... Respondent/s

=====

Appearance :

For the Appellant/s : None

For the Respondent No.3 : Mr. Rajiv Roy, Sr. Advocate

Mr. Basant Kumar Singh, Advocate

Mr. Arun Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

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

Date: 24-06-2015

None appears for the appellant. Same was the position even yesterday.

2. We have gone through the contents of the impugned order dated 27.08.2010 passed in CWJC No. 8270 of 2009 as also the entire records and notice that appellant herein had raised structures and wall including iron grill in the common area of the apartment, which is against the sanctioned plan of the apartment as also building bye-laws of the Patna Municipal Corporation and the Municipal

Commissioner appreciated such fact at the instance of Respondent nos. 3 and 4 and thereafter passed order dated 29.06.2009 asking the appellant herein to remove unauthorized structures. Aforesaid order dated 29.06.2009 was assailed by the appellant herein by filing CWJC No. 8270 of 2009, which has been dismissed by the learned Single Judge under order dated 27.08.2010, which is impugned in this appeal.

3. Having gone through the aforesaid order, we are satisfied that there is no illegality in the said order and the appeal is dismissed.

4. Counsel for Respondent no.3 is present.

(V.N. Sinha, J.)

(Nilu Agrawal, J.)

Arjun/-

U			
---	--	--	--