

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11934 of 2015

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Pallavi Kumari Wife of Sri Sanjay Kumar, resident of New Azimabad,
Ram Krishna Cology, Bazar Smiti, Police Station - Bahadupur, District -
Patna.

.... Petitioner/s

Versus

1. The Patna Municipal Corporation through its Commissioner, Maurya Lok Complex, Patna
2. The Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Patna.
3. The Vigilance Officer, Patna Municipal Corporation, Maurya Lok Complex, Patna.
4. The Executive Officer, Patna Municipal Corporation, Patna.
5. The Executive Engineer, Inspection tem no. 6 Patna Municipal Corporation, Patna.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate

For the Respondent/s : Mr. Sanjay Prakash Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

6 29-03-2016 The petitioner questions the order dated 06.1.2015 passed by the Municipal Building Tribunal-II, Patna in Appeal Case No. 70 of 2014 whereby the tribunal has upheld the order dated 26.7.2014 passed by the Municipal Commissioner in Vigilance Case No. 74A of 2013.

Mr. Chitranjan Sinha, learned senior counsel while admitting to the fact that the two extra floors i.e. the third and fourth floor of the building in question is beyond the sanctioned map, submits that the opinion formed by the Municipal Building



Tribunal in its order impugned at Annexure-3 is *inter alia* on the legal premise that the petitioner could not have added extra floors without ensuring the width of the road abutting the building at not less than six meters. He submits that in view of the observation of the tribunal, the petitioner may be permitted to approach the Commissioner with a revised map after ensuring and upon satisfying him regarding the width of the road.

Having heard learned counsel for the parties and the submissions advanced and finding no error in the findings of the Tribunal recorded in the order impugned at Annexure-3, this Court without expressing any opinion on the merits of the submissions advanced by Mr. Sinha, would dispose of this writ petition with the liberty so prayed.

The writ petition is disposed of.

(Jyoti Saran, J)

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