

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21526 of 2013

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Geeta Devi, Wife of Late Santosh Thakur, Resident of Mahabir Nagar, Saichak Road, Beur, Police Station- Beur, District- Patna.

.... Petitioner/s

Versus

1. Patna Municipal Corporation through its Municipal Commissioner Officer at Near G.P.O. Patna Budh Marg, Patna.
2. The Administrator, Patna Municipal Corporation Officer at Near G.P.O. Patna Budh Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Bijpuria

For the Respondent/s : Mr. Prasoon Sinha

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 10-05-2016

Heard the parties.

The petitioner seeks to raise an issue of demolition of her shop which took place more than two decades back in 1995 relying upon the division bench judgment in L.P.A. No.135 of 1998 as affirmed by the Supreme Court. Mr. Sudhir Kumar Bijpuria, learned counsel appearing for the petitioner relies upon the following judgments to support his contention that the benefit of the order should extend to all similarly placed persons:

1. **2006(3) PLJR 573 (Ajay Kumar Srivastava vs. the State of Bihar) and;**
2. **(2006) 9 SCC 406 (K.T. Veerappa vs. State of Karnataka).**

3. **Judgment of the Supreme Court in Civil
Appeal No. 11525 of 2014 (State of U.P. Vs.
Parmanand Shukla).**

I have heard learned counsel for the parties and I have perused the records.

Apart from the fact that the writ petition is fit to be dismissed at the threshold on grounds of excessive delay even otherwise considering that the petitioner was not amongst those who had questioned the demolition in CWJC No.9747 of 1995 and the order passed in L.P.A. No.135 of 1998 as affirmed in S.L.P. No.6655 of 2008 by the Supreme Court extends only to the appellants therein, even the reliance on the judgments by learned counsel would bear no fruitful result.

In the circumstances discussed the petitioner cannot be granted any indulgence for she has woken from her deep slumber after more than two decades. The writ petition is dismissed.

(Jyoti Saran, J)

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