

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11158 of 2016

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1. Sangeeta Goel, w/o Sri Subodh Kumar Goel, resident of Flat No.506, Santosha Complex, Bander Bagicha, Frazer Road, P.S. Kotwali, Dist. Patna
 2. Pushpa Ritolia, w/o Anil Kumar Ritolia, resident of flat no.504, Santosha Complex, Bander Bagicha, Frazer Road, P.S. Kotwali, Dist. Patna
 3. Renu Agrawal, w/o Sri Nand Kishore Agrawal, resident of Flat No.201, Santosha Complex, Bander Bagicha, Frazer Road, P.S. Kotwali, Dist. Patna
 4. Ramesh Chandra Gupta, son of late Sri Ram Gupta, resident of Flat No.502, Santosha Complex, Bander Bagicha, Frazer Road, P.S. Kotwali, Dist. Patna
- Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Main Secretariat, Patna
2. The Secretary, Department of Urban Development, Government of Bihar, Vikash Bhavan, Bailey Road, Patna
3. The Municipal Commissioner, Patna Municipal Corporation, Mauryalok Complex, Budh Marg, Patna
4. The District Magistrate, Patna
5. The Sr. Superintendent of Police, Patna

.... Respondents

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Appearance :

For the Petitioner	:	Mr. P.K. Shahi, Sr. Advocate, Mr. Alok Kumar Agrawal, Advocate
For the State	:	Mr. Vinay Kriti Singh, GA3
For the PMC	:	Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 15-07-2016

Heard parties.

During the course of the hearing, the petitioners have confined this writ application only to the relief that, while carrying out demolition work of the concerned building namely, Santosha Complex, in view of the final decision having been taken by the Apex Court, the safety and safeguard of the residents of the part of the building including the petitioner, which is not required to be

demolished, should be ensured as the petitioners are not residing on the portions which have been declared to have been constructed illegally rather they are residing on the portion of the building which has legally been constructed.

Learned counsel appearing for the Patna Municipal Corporation does not controvert the aforesaid claim of the petitioners and ensures that the Corporation would carry out the direction given by the Hon'ble Supreme Court. It is contended that, while carrying out the demolition work, all the required measures would be taken. It is further contended that they will take required measures to ensure that the demolition of the illegal portion of the building does not affect the portion on which the petitioners are residing and their safety would be ensured.

Accordingly, on such assurance given by the Patna Municipal Corporation, this writ application stands disposed of.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.07.2016
Transmission Date	NA