

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5238 of 2011

Pradip Kumar & Ors

.... Petitioner/s

Versus

The Patna Municipal Corporation and Others

.... Respondent/s

Appearance :

For the Petitioners

: Mr. Alok Kumar Sinha, Sr. Advocate
Mr. Sudhir Kumar Bijpuria, Advocate
Mr. Bhola Kumar, Advocate
Mr. Ashish Sinha, Advocate
Mr. Awadhesh Saran, Advocate

For the PMC

: Mr. Ranjeet Kumar Pandey, Advocate

For the State

: Mr. Mayank Rukhaiyal, AC to GA-1

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

49. 29-06-2016 Learned counsel for the Patna Municipal Corporation, Patna, filed compliance report.

Learned counsel for the petitioners submits that out of the 16 beneficiaries, six (6) could not take possession in lieu of the short time given. 10 beneficiaries have been given physical possession including letter of settlement.

Learned counsel for the petitioners states that soon enough the other six (6), who have not taken possession, would come. It is expected that no sooner they would make it, the Patna Municipal Corporation will handover physical possession without any further delay.

Learned counsel for the petitioners submit that there is still a lot of garbage.

Learned counsel for the Patna Municipal Corporation, Patna, submits that, so far as the land of which physical possession has been handed over, has been cleared of garbage.

We appreciate both the contentions. What the learned counsel for the petitioners submit is that, the civic authorities clear up the area so that people have free, clean access to the area and the unhealthy and unhygienic surroundings are cleared. This is the basic requirements to live with human dignity. We hope that the Corporation would immediately take steps to clear the area of garbage, which even otherwise, the Corporation is by law required to do.

Considering the entire facts and circumstances, the orders of this Court have now been substantially complied with. We are of the considered opinion that these proceedings need not be carried any further. This does not mean that the Corporation is absolved of the liabilities, *inter alia*, as noticed in this order.

Accordingly, the matter stands disposed of.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Rajeev/-

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