

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 12284 of 2014

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Akhileshwar Prasad Gupta, Son of Late Rameshwar Prasad, Resident of Village-
Ramjichak, P.O.- Bataganj, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The Secretary, Urban Development Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Sub Divisional Officer, Danapur, District- Patna.
5. The Land Reforms Deputy Collector, Danapur, District- Patna.
6. The Station House Officer, Danapur, District- Patna.
7. The Executive Officer, Danapur, Nagar Parishad, Danapur, District- Patna.
8. Rakesh Kumar @ Rakesh Sharan Singh, Son of Satendra Narayan Singh.
9. Satendra Narayan Singh, Son of Late Tej Narayan Singh.
Both Resident of Village- Saguna, More, P.S- Danapur, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Miss Ritika Rani, Mr. Deepak Kumar, Mrs. Kumari Neha and Mr. Arvind Kumar Sharma, Advocates
For the Respondent No. 8	:	Mr. Siya Ram Sahi and Mr. Hans Raj, Advocates
For the State	:	Mr. A. Kundu, S.C. 24 Mr. P. K. Lal, A.C. to S.C. 24
For the Respondent No. 7	:	Mr. Ajatshatru, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-03-2017

Heard learned counsel for petitioner, State, Danapur
Nagar Parishad as well as the respondents no. 8 and 9.

The Executive Officer of Nagar Parishad, Danapur is
also present in Court.

In view of the allegation made by the petitioner
against the respondents no. 8 and 9, with regard to them having made



construction in blatant violation of the bye-laws; upon the Nagar Parishad, Danapur having enquired into the matter, the Chief Executive Officer, after giving notice and hearing the parties, has passed order dated 01.03.2017, by which the illegal construction has been directed to be demolished within 15 days and a fine of Rs. 1,00,000/- has also been imposed.

Learned counsel for the respondents no. 8 and 9 submitted that they propose to file appeal before the Municipal Tribunal.

The Executive Officer, Nagar Parishad, Danapur has assured the Court that he shall ensure that the order is taken to its logical conclusion in accordance with law. He has also assured the Court that he shall be vigilant in pursuing the matter before the Municipal Tribunal, if the same is filed. The petitioner shall also be at liberty to contest the matter before the Municipal Tribunal.

In view thereof, the writ petition stands disposed off in terms of the assurance given by the Executive Officer, Nagar Parishad, Danapur to the Court, as recorded hereinabove. The Executive Officer has also informed the Court that since the time he assumed charge, the file of this case has never come before him for which he has initiated action against the Head Clerk, Law Assistant and the Architect who has passed the plan for the illegal building.



The Court hopes that such proceedings shall also be taken to their logical conclusion, in accordance with law, expeditiously.

The personal appearance of the Executive Officer, Nagar Parishad, Danapur stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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