

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1603 of 2016

In
Civil Writ Jurisdiction Case No.18303 of 2013

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Md. Kitabuddin Ansari S/o Late Khalil Ansari Resident of Village -
Phulwaria, P.O. - Dhanauti, P.S. - Siwan (Muffasil), District Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Vishweswaraiya Bhawan, Patna.
2. The Divisional Commissioner Saran Division, Chapra.
3. The Collector cum District Magistrate Siwan at Siwan.
4. The Deputy Development Commissioner Siwan at Siwan.
5. The Nagar Parishad Siwan through its Executive Officer at Siwan.
6. The Special Officer, Nagar Parishad, Siwan at Siwan.
7. The Chairperson, Nagar Parishad, Siwan at Siwan.
8. The Executive Officer, Nagar Parishad Siwan at Siwan.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Uday Pratap Singh, Adv.
For the Respondent/s	:	Mr. S. Raza Ahmad- AAG5
		Mr. Vishwambhar Prasad, AC to AAG 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-11-2017

Seeking exception to an order dated 19.5.2016 passed by the learned Writ Court in C.W.J.C. No.18303/2013, this appeal has been filed under Clause 10 of the Letters Patent.

Appellant seeks allotment based on a scheme published in the year 1995. Apart from the fact that the writ petition was filed after a period of more than 20 years, we find that



in the counter affidavit filed, the Chief Executive Officer, Nagar Parishad, Siwan, states that no space is available for allotment to be made and whenever allotment is made, priority and preference will be given to the petitioner.

In view of the above, this appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	8.11.2017
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