

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2202 of 2015
IN
Civil Writ Jurisdiction Case No. 5865 of 1999**

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1. Rakesh Kumar Rai @ Rakesh Kumar Son of Sri Dharamdeo Rai
2. Ajay Kumar, Son of Sri Balmiki Sharma, and
3. Vinay Kumar, Son of Sri Anugrah Narayan Sharma, All resident of Mohalla-
Chandmari Road (Azad Nagar) Police Station & P.O.- Kankarbagh, District- Patna
4. Anugrah Narayan Singh @ Ram Anugrah Sharma, son of Late Govind Dayal
Singh, resident of Mohalla- Anand Vihar, South Mandiri, P.S.- Budha Colony,
Distt.- Patna (duly constituted Attorney of Appellant No. 1 to 3)

.... Appellants

Versus

1. The Patna Regional Development Authority through its Vice-Chairman,
Mauryalok Complex, Dakbunglow Road, Patna
2. The Vice-Chairman of the Patna Regional Development Authority, Mauryalok
Complex, Dakbunglow Road, Patna
3. Mithilesh Prasad Singh, son of Sri Sachidanand Singh, resident of village-
Malichak, P.O.+ P.s.- Warisaliganj, District- Nawada
4. Krishna Nandan Kumar
5. Anjani Kumar
6. Sitaram Singh
7. Chandrawati Devi, wife of Dr. Gyaneshwar Prasad Singh resident of village and
P.O.- Bambhai, District- Arwal
8. Gayatri Devi wife of Sri Dhananjay Kumar resident of village- Ankorha, P.O.-
Gaini, District- Aurangabad
9. Krishna Ballav Sharma
10. Pravin Kumar All sons of Late Parsuram Singh, Resident of village- Jhunnathi,
P.S.- Kurtha, District- Jehanabad
11. Smt. Janki Devi wife of Parshuram Singh, resident of village- Jhunathi, P.s.-
Kurtha, District- Jehanabad

.... Respondents

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Appearance :

For the Appellants : Mr. Ashok Kumar, Advocate
For the Respondent PMC: Mr. Sanjay Prakash Verma, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 03-02-2017

I.A. No. 9547 of 2015 is allowed. Delay of five days is
condoned for the reasons indicated in the Interlocutory Application.
Matter is taken up on merits as well.



I.A. No. 3206 of 2016 is for impleadment of the appellants because they were necessary party in C.W.J.C. No. 5865 of 1999. The said Interlocutory Application is rejected for the reason that the issue was not right, title and interest before the learned single Judge, but whether a map could be sanctioned showing a width of 60 feet when the facts on the ground was otherwise.

If the right, title and interest of the appellants in any manner gets affected by virtue of a bonafide purchase made by them through a sale deed, the remedy for the same lied before a civil Court of competent jurisdiction. No interference is warranted with the order of the learned single Judge looking at the nature of the dispute and the adjudication made thereof with regard to sanction or non-sanction of a map by the erstwhile P.R.D.A.

The appeal stands dismissed with observations as above.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04 .02.2017
Transmission Date	N/A

