

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4754 of 2018

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Fula Devi, W/o Ajay Ray, R/o R. Block, Road No.-6, Patna- 800001.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Municipal Commissioner, Patna Municipal Corporation, Budh Marg, Patna.
5. The Sub Divisional Officer, Patna.
6. The Circle Officer, Patna.
7. M/s Kashish Developers Ltd. through the Director Kamla Sadan, Punaichak, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

For the Respondent/s : Mr. S.P.Singh -GA3

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 31-05-2018 Mr. Lakshmindra Kumar Yadav, learned Counsel for the petitioner, learned Counsel for the State and learned Counsel for the Corporation are present.

The petitioner while praying for a direction to the respondents to provide rehabilitation to them on the action taken by the respondents for removal of the petitioner from their home situated at R Block, Patna, Road no.6 to 8, also prays to restrain these respondents from taking any steps for their displacement until rehabilitation process is completed.

Mr. Yadav relies upon a Division Bench judgment of this Court passed in CWJC No. 4212/2015 (**Jhuggi Jhopri Kamgar**



Majdoor Union versus The State of Bihar & Ors.), to submit that the directions contained therein would equally govern the case of the petitioner.

While prayer is made on behalf of the learned Counsel for the State and the Corporation for time to enable them to seek instruction, the pleadings on record transpire that the petitioner has failed to draw the attention of either the Municipal Corporation or the department towards the grievances, rather has rushed to this Court without moving departmentally.

In the circumstances noted, I deem it proper to dispose of writ petition while granting liberty to the petitioner of raising her grievance before the Municipal Commissioner, Patna Municipal Corporation, Budh Marg, Patna and it goes without saying that any such application being filed by the petitioner would be considered and disposed of by the Municipal Commissioner in accordance with law within a period of six weeks from the date of receipt/protection of a copy of this order.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

Archana/Surendra/-

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