

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11666 of 2018

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Vijay Singh Yadav, Son of Late Thakur Ray, Resident of near Satsang Bhawan,
Hathi Khana More, P.O. and P.S.- Danapur, District- Patna.

.... Petitioner

Versus

1. Patna Municipal Corporation, Maurya Lok, Patna through the Municipal Commissioner.
2. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, Patna.
3. The Director, Urban Planning, Patna Municipal Corporation, Maurya Lok, Patna.
4. The Municipal Chief Engineer, Patna Municipal Corporation, Maurya Lok, Patna.
5. The Executive Engineer, Kankarbag Works Division-1, Patna Municipal Corporation, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. S.B.K. Manglam, Advocate

Mrs. Anita Kumari, Advocate

For the Respondent-PMC: Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 05-09-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

2. This writ petition has been filed by the petitioner
for directing the respondent authorities to produce on record the
proceedings of the Board/Empowered Standing Committee of Patna



Municipal Corporation in which the construction of road and drainage from Karbigahiya Main Road to the house of Mahadeo Sah under 'Mukhiyamantri Teen Nischay Yojana' was allegedly approved and on production of the same, the same may be quashed.

3. The contention of the petitioner is that Municipal Survey Plot No.444 and 285 situated in Mauza-Arra, Thana No.20, Survey Thana-Phulwari, Circle No.8, Sheet Nos.16 and 17 situated in Ward No.29 originally belonged to Sri Krishna Nandan Prasad Singh, who sold it to the petitioner and other vendors through different sale-deeds on different dates. After purchase, the petitioner was put in possession and since then, the land in question is coming in his peaceful possession. After mutation, he is also paying the rent. However, the respondents are adamant for construction of a road over the private property of the petitioner.

4. Regard being had to the nature of dispute raised by the petitioner, I am of the opinion that instead of filing a writ petition, he should first file a representation for the redressal of his grievance before the Municipal Commissioner, Patna Municipal Corporation. Accordingly, the writ petition is disposed of with a direction to the petitioner to file a proper representation before the Municipal Commissioner, Patna Municipal Corporation within two weeks from today. In case of filing of such representation, he shall



be required to examine the same and dispose of the same by passing
a reasoned order in accordance with law.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.09.2018
Transmission Date	NA

