

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11322 of 2017

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Rakesh Kumar Singh son of Sri Maharana Pratap Singh, resident of- Brijkishore Path, Ramjee Chuck, Digha Bataganj, P.S.- Digha, District- Patna.

.... Petitioner

Versus

1. The Commissioner Patna Municipal Corporation, Patna.
2. Sri Pradip Kumar Talukdar, ACS, Managing Director Assam, Government Marketing Corporation Ltd. Pragiyitika Bhawan Ambari, Gawahati.
3. Smt. Kumari Rishu wife of Sri Raj Prakash Gupta, resident of C-44, Ashoka Tower, Chanakyapuri, Raja Bazar Baily Road, Patna.
4. Mr. Raj Prakash Gupta son of Sai K.P. Gupta R/O C-44, Ashoka Tower, Chanakyapuri, Raja Bazar, Baily Road, Patna.
5. The State of Bihar through Principal Secretary Urban Development.
6. Patna Municipal Corporation, Patna.
7. Assam Government Marketing Corporation Ltd. Pragiyitika Bhawan Ambari, Guwahati.

.... Respondents

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Appearance :

For the Petitioner : Mr. Majid Mahboob Khan, Advocate.

For the Respondents : Mr. Yashraj Bardhan, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-04-2018

As prayed, learned counsel for the petitioner is permitted to implead the State of Bihar, Patna Municipal Corporation, Patna and the Assam Government Marketing Corporation Ltd. Pragiyitika Bhawan Ambari, Guwahati as respondent nos. 5, 6 and 7 respectively, in course of the day.

2. The present writ petition has been filed for the following reliefs -

(i) For issuance of a writ in the nature of mandamus directing the respondent Patna Municipal Corporation to cancel the lease the shop no. 101 and 102 of Mauryalok, Block-B/2 on ground floor, situated at New Dak Banglow Road, P.S. Kotwali, District- Patna which was leased out to Marketing Corporation Ltd. Government of Assam.



(ii) For further issuance of a writ in the nature of mandamus commanding the respondent not to give effect the Deed of Transfer of lease Hold rights i.e. Deed No. 4685 dated 26.04.2017.

(iii) For issuance of a writ/writs, command/commands, direction/directions, order/orders as your lordship may deem fit and proper in the facts and circumstances of the case.”

3. At the very outset, this Court takes note that there is nothing in the writ petition to show that the petitioner has approached the Patna Municipal Corporation, Patna (respondent no. 6) prior to approaching this Court for redressal of his grievances.

4. In the above circumstances, this Court is not inclined to interfere in the matter. The writ petition stands disposed of with liberty to the petitioner to approach the Patna Municipal Corporation, Patna (respondent no. 6) for reliefs sought in the present writ petition.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.05.2018
Transmission Date	N.A.

