

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1355 of 2019**

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1. Ranchhor Prasad Choudhary
  2. Randhir Prasad Choudhary.
  3. Ranjeet Prasad Choudhary @ Ranjit Kumar Choudhary
  4. Ranvir Prasad Choudhary @ Ranvir Choudhary  
All sons of Late Badri Narayan Prasad Choudhary Resident of Shyam Kunj,  
Govind Mitra Road, P.S.- Pirbahore, P.O.- Bankipore, Pin Code- 800004,  
District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna
2. The Chief Municipal Commissioner, Patna Municipal Corporation, (Earstwhile Patna Regional Development Authority), Patna
3. Executive Engineer, Patna Municipal Corporation, Patna
4. Vigilance Officer, Patna Municipal Corporation, Patna
5. Suresh Kumar, Son of Rameshwar Sharma Resident of Roopam House, Kankarbagh Main Road, P.S.- Kankarbagh, District- Patna

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Mayank Rukhaiyar, Adv.  |
| For the P.M.C        | : | Shri Prasoon Sinha, Adv.   |
| For the Respondent/s | : | Mr.Shiv Kumar, AC to GA 3. |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      25-01-2019                      Heard learned counsel for the petitioner, learned counsel representing the Patna Municipal Corporation as also learned counsel for the State.

In the present writ application the petitioner has raised his grievance against the order dated 30.08.2017 passed by the Municipal Tribunal, Patna Division, Patna. The Municipal Tribunal refused to interfere with the order dated 08.04.2013 passed by the Municipal Commissioner, Patna Municipal Corporation on the grounds duly mentioned and discussed in the



impugned order. It is not in dispute that the parties are co-sharers and they have been claiming rival interest over the piece of land on which the house has been constructed after getting sanctioned map from the Patna Municipal Corporation. At one point of time, the petitioner had also filed a Title Suit in the Civil Court giving rise to T.S. No.311 of 2008 which was dismissed on 27.09.2013. Another T.S.No.380 of 2019 filed by the petitioner is also said to have been dismissed on 06.03.2013.

After some argument, Mr.Mayank Rukhaiyar, learned counsel representing the petitioner could understand the limitations in arguing the matter as it was mainly concerning the question of title which is being contested between the parties. The issue which would go to the root of the present case cannot be adjudicated in a writ jurisdiction.

The writ application has thus no merit. It is dismissed.

It goes without saying that whatever other remedies are available to the petitioner it for him to think over it.

**(Rajeev Ranjan Prasad, J)**

R.R.Ojha/-

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