

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.224 of 2019**

**In**

**Civil Writ Jurisdiction Case No.938 of 2019**

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1. M/s Azalfa Building Construction Pvt. Ltd. and Anr through its Managing Director namely Mr. Naushad Alam having its office at 506A/1, New Azimabad Colony, Police Station Bahadurpur, District- Patna
  2. Mr. Naushad Alam Son of Mr. Adalat Hussain Resident of Mohalla- New Azimabad Colony, Police Station- Bahadurpur, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Town Planning and Urban Development Department, Government of Bihar, Patna
2. The Patna Municipal Corporation through its Commissioner, Maurya Lok Complex, Patna
3. The Town Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Patna
4. The Executive Officer, Bankipore Division, Patna Municipal Corporation, Maurya Lok Complex, Patna
5. The Vigilance Officer, Patna Municipal Corporation, Patna

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Sanjeev Kumar Singh, Adv.  
For the Respondent/s : Mr.Yogendra Prasad Sinha, AAG7

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**  
**and**  
**HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)**

7      25-04-2019                      The learned Single Judge by the order under challenge has relegated the matter for disposal by the Municipal Commissioner, Patna and the issue in contest is now pending consideration before the Municipal Commissioner. Of the two issues that were raised by the appellant-petitioner before this



Court, while the issue of soil erosion has taken care of but the pending vigilance case with no definite date fixed for disposal has bothered the petitioner to come this Court. Perhaps, Mr. Prasoon Sinha representing the Corporation has valid reasons to advocate that in the long chain of pendency before the Commissioner for disposal of the vigilance cases under judicial orders, a definite time line, if framed, would cause undue pressure but then considering the nature of contest herein and since it relates to civil construction, the cost of which is ever escalating and the ultimate burden of which falls on the purchasers, we are of the opinion that a period of 6 months for disposal of the matter would be reasonable enough for the Commissioner for attaching finality to the exercise so initiated under the orders of the learned Single Judge.

With the advise aforementioned, we dispose of the appeal.

**(Jyoti Saran, J)**

**( Anjani Kumar Sharan, J)**

Bibhash/-

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