

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4321 of 2019

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Sarvendra Kumar @ Shailendra Kumar, aged about 33 years, Male, S/o Late Ambika Singh Resident of Village- Harnichak, P.O. Anisabad, P.S. Beur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Patna Municipal Corporation, Muarya Lok, Patna.
2. The Senior Superintendent of Police, Patna.
3. The Circle Officer, Patna.
4. The Block Development Officer, Phulwarisharif Patna.
5. The Patna Municipal Corporation Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar Ojha, Adv. Nutan Mishra, Adv.
For the P.M.C	:	Mr. Jawed Gaffar Khan, Adv.
For the Respondent/s	:	Mr.Ramesh Kumar Singh, AC to GP 15.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioner and learned counsel representing the Patna Municipal Corporation.

Petitioner in the present case is seeking a writ of mandamus directing the respondent authorities to refrain from constructing a 'Suvidha Kendra' on the site said to be earmarked for construction of the same as according to the petitioner such construction of the 'Suvidha Kendra' would effect the easementary rights of the petitioner. Prayer has also been made for a direction to get a proper measurement/demarcation done before making any such construction.



Learned counsel for the Patna Municipal Corporation submits that the petitioner has already made a representation to the Commissioner, Patna Municipal Corporation, Patna as contained in Annexure '4' to the writ application. It is submitted that in such circumstance, it should be left open for the Municipal Commissioner to consider the grievance of the petitioner and take an appropriate decision thereon.

Having heard learned counsel for the petitioner and learned counsel for the Corporation and taking note of the submissions made hereinabove, this Court directs the Municipal Commissioner, Patna Municipal Corporation, Patna to look into the grievance of the petitioner, examine the same and take an appropriate decision thereon within a period of 90 days from the date of receipt/production of a copy of this order. It goes without saying that in case assistance of the petitioner is required in addressing the issue, he will also be given an opportunity of hearing.

The writ application stands disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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