

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No. 523 of 2016

Arising out of
Civil Writ Jurisdiction Case No. 13886 of 2011

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Anup Kumar, Son of Late Ram Krishna Prasad, Resident of Village/Mohalla-
Flat No.-A 404,Charminar Apartment, Road No.- 12, Rajendra Nagar, Police
Station-Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar represented through Principal Secretary, Department of
Town Development, Government of Bihar, Patna.
2. The Commissioner, Patna Municipal Corporation, Maurya Complex, Patna-
800001.
3. The Estate Officer, Patna Municipal Corporation, Maurya Complex,
Patna- 800001.
4. Lav Kumar Jaiswal Son of Late Krishna Prasad Jaiswal Resident of Road
No.-6a, Rajendra Nagar, Patna-800016.
5. Kush Kumar Jaiswal, Son of Late Krishna Jaiswal Resident of
Road No.- 6a, Rajendra Nagar, Patna-800016.
6. Rajesh Jaiswal, Son of Late Krishna Prasad Jaiswal Resident of Road No.-
6a, Rajendra Nagar, Patna-800016.
7. Radhey Shyam Agrawal Son of Late Purshottam Das Agarwal residing at
Flat No. A-406, Bansal Tower, Bhattacharya Road, P.S. Gandhi Maidan,
District- Patna.
8. Sanjay Singh, S/o Sri Goburdhan Prasad, Resident of Village-Dayalpur,
P.O- Jhandapur, Police Station- Thana Birpur, District- Bhagalpur.

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate
For the PMC : Mr. Prasoon Sinha, Advocate
For the State : Mr. Yogendra Prasad Sinha, AAG 7
Mr. Rajeev Kumar Sinha, AC to AAG 7

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 01-07-2019

Heard learned counsel for the petitioner; learned AC to AAG 7 for the State and Mr. Prasoon Sinha, learned counsel for the Patna Municipal Corporation.

2. The present application has been filed seeking review of order dated 10.07.2013 passed in CWJC No. 13886 of 2011.

3. The writ petition was filed by the opposite party no. 8 seeking quashing of the communication dated 15.06.2011 contained in Memo No. 2824 dated 14.07.2011 issued by the Estate Officer of Patna Municipal Corporation addressed to the respondents no. 4, 5 and 6 informing them that since they have transferred Plot No. 309/B (Block-B) situated in Rajendra Nagar, Patna in violation of the terms and condition described in the deed of lease as well as Rule 20 of the Patna Regional Development Authority (Disposal of Land) Rules, 1978 (hereinafter referred to as the 'Rules') without prior permission of the concerned authority, mutation of the transferee pursuant to such transfer can only be allowed after they deposit 50% of the amount which they have earned on sale of such land at the rate fixed by the



Government within 15 days failing which action would also be taken under Sections 20 and 22 of the Rules for cancellation of the allotment.

4. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the application as there may not be any cause of action with him, as of now.

5. In view thereof, as prayed for by learned counsel for the petitioner, the application stands disposed off as withdrawn.

(Ahsanuddin Amanullah, J.)

P. Kumar

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