

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13799 of 2019

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Mahadev Sah Son of late Babulal Sah, Resident of Ward No. 20, Bhardwaj Nagar, Police Station- Ratanpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The Begusarai Municipal Corporation through its Municipal Commissioner/Town Commissioner.
2. The Municipal Commissioner Cum Town Commissioner, Begusarai Municipal Corporation, Begusarai.
3. The Additional town Commissioner, Begusarai Municipal Corporation, Begusarai.
4. The Circle Officer, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-07-2019 Let the defects be ignored.

Learned counsel for the petitioner submits that since the Municipal Building Tribunal at Patna has started functioning, he may be permitted to withdraw this writ application with liberty to prefer a statutory appeal under Section 329 of the Bihar Municipal Act, 2007 against the impugned order dated 02.04.2019. Learned counsel also submits that he would present the memorandum of appeal before the Tribunal with an application for grant of interim relief within a period of 15 days from today, till then no coercive action be taken by the Municipal Corporation against the petitioner.



No one appears on behalf of the Municipal Corporation, Begusarai.

In the given facts and circumstances of the case, the writ application is permitted to be withdrawn with liberty as prayed by the petitioner to prefer a statutory appeal within a period of 15 days from today.

If an appeal together with application for interim relief is presented before the Municipal Building Tribunal, Patna within a period of fifteen days from today, no coercive action shall be taken against the petitioner by the Municipal Corporation, Begusarai till disposal of the application for interim relief by the Municipal Tribunal. In case any question of limitation arises for consideration before the Tribunal, the same will be considered keeping in mind that the petitioner was pursuing his remedy before this Court.

(Rajeev Ranjan Prasad, J)

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