

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23899 of 2019

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Prem Chand Kochar S/o Late Ram Prasad Kochar R/o 55, Jahaji Kothi, East
Boring Canal Road, P.s.- Buddha Colony, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Urban Development Department, Govt. of Bihar, Patna
2. The Commissioner Patna Municipal Corporation, Patna
3. The Registrar District Registry Office, Patna
4. The Executive Officer Patliputra Division, Patna Municipal Corporation, Patna
5. The Executive Engineer Patliputra Division, Patna Municipal Corporation, Patna
6. The Junior Executive Engineer Patliputra Division, Patna Municipal Corporation, Patna
7. Smt. Santosh Rani @ Santosh Devi W/o Late Gulzari Lal Oberai R/o Frazer Road, P.s.- Kotwali, Distt.- Patna, presently residing at Archana Meadows, Flat No. 406, Lane G, South Main Road, Sahu Modak Garden, Koregaon Park, Pune City, Pune, Maharastra
8. Smt. Priyanka Gupta W/o Late Sri Sanjay Kumar Gupta R/o East Boring Road, Near Hari Her Apartment, P.s.- Buddha Colony, Distt.- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bishwajeet Singh
For the Respondent/s	:	Mr.Raji Roy (GP-1)
For PMC	:	Mr. Prasoon Sinha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-12-2019 Heard learned counsel for the parties.

2. The petitioner has a grievance that respondent No.8 is constructing a commercial building over a piece of land adjacent to his house in violation of the building by-laws as well as sanctioned plan. According to the petitioner, no setback has been left in construction of the building in question.



3. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner has subsequently learnt that a vigilance case has already been initiated in respect of the construction in question which has given rise to Case No. 53B of 2019 in which an interim order has been passed on 22.11.2019, asking respondent No.8 to stop further construction and explain why a direction be not issued for demolition of the unauthorized construction.

4. In view of the fact that with respect to the same construction the Corporation has already proceeded on a complaint made by the petitioner, no further order is required to be passed by this Court, particularly when there is already an interim order of stay passed by the Municipal Commissioner.

5. The petitioner shall be at liberty to pursue his grievance before the Municipal Corporation in the said case.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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