

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20890 of 2018

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Rohan Mehotra S/o Sudhir Mehotra, Resident of Mohalla- Sahu Road, P.S.-
Town, Dist-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Housing and Urban Development Department, Govt. of Bihar, Patna.
2. The Collector, Muzaffarpur.
3. The Senior Superintendent of Police.
4. Muzaffarpur Municipal Corporation through its Municipal Commissioner at Muzaffarpur.
5. The Municipal Commissioner at Muzaffarpur. Municipal Corporation, Muzaffarpur.
6. The Municipal Board at Muzaffarpur, Municipal Corporation through Mayor, Muzaffarpur.
7. Mayor, Muzaffarpur Municipal Corporation, Muzaffarpur.
8. Md. SSamshed Kuraishi S/o Late Kayum Kuraishi Resident of Maharazi Pokhar, P.S.-Mithanpura, District-Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Parasmani, Adv.
For the Respondent/s	:	Mr.Yogendra Prasad Sinha, A.A.G. 7
For MMC	:	Mr. Prasoon Sinha, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 26.10.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief/s:



“For directing and commanding the respondents to adhere to the rules of Municipal Act 2007 and guideline of Housing and Urban development Department in the matter of running of Meat shop in Muzaffarpur Town and thereby remove Mutton shop being run by Respondent No.8 in private premise's which is just beside Marwari Madhya Vidalaya Sahu Road and within 100 meters of Temple and situated in residential locality, causing immense trouble to resident of locality and passer by. Further all the meat shop running in Muzaffarpur in violation of provisions of Act 2007 be removed.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law,
before the appropriate forum, the same shall be dealt with, in
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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