

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18881 of 2018

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Shyam Prasad Son of Late Munna Prasad, Resident of Daldali Road, Bari Path Bankipore, Police Station-Kadam Kuan, District-Patna.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation through its Chairman, Budh Marg, Patna, Bihar.
2. The Municipal Commissioner, Patna Municipal Corporation, Budh Marg, Patna.
3. The Executive Officer, Nutan Anchal, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar, Adv.
For the Respondent/s : Mr. Yashraj Bardhan, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-01-2021 Heard Ms. Nivedita Nirvikar, learned counsel for the petitioner and Mr. Yashraj Bardhan, learned counsel for respondent nos.1, 2 and 3.

Petitioner in this writ petition seeks quashing of order dated 04.09.2018 as contained in Memo No.777 issued under the signature of Executive Officer, Nutan Rajdhani Anchal, Patna by which the petitioner is called upon to remove the encroachment made on the drainage of the Corporation.

Learned counsel for the petitioner submits that the petitioner has not encroached even an inch on the land of the Corporation and time and again notices are issued to the petitioner for removal of encroachment.



Having considered submissions and facts, I find that since the petitioner has already filed reply to the notice, the petitioner may appear before the Executive Officer, Nutan Rajdhani Anchal, Patna and thereafter the Executive Officer shall get the land measured and pass order in accordance with law after hearing the petitioner within three months from the date of receipt of this order.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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