

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12070 of 2021

=====

Indra Devi W/o Laxmi Mahto R/o Mohalla- Ashok Nagar, Co-operative Colony, Ward No. 30, Plot No.1198, P.S.- Town, District- Gaya.

... .. Petitioner/s

Versus

1. The Gaya Municipal Corporation through its Municipal Commissioner
2. The Municipal Commissioner, Gaya Municipal Corporation.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Gaya Municipal Corporation: Mr. Ravindra Priyadarshi, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-09-2021 Heard Mr. Binod Kumar Sinha, learned counsel for the petitioner and Mr. Ravindra Priyadarshi, learned counsel appearing for the Gaya Municipal Corporation.

2. The petitioner has challenged the order dated 02.03.2020 passed by the Gaya Municipal Corporation, by which he has directed for demolition of part of the building of the petitioner in Vigilance Case No. 45/30/18.

3. Learned counsel for the Gaya Municipal Corporation submits that the petitioner has got alternative remedy of appeal against the impugned order before the Bihar Municipal Building Tribunal, and as such, the petitioner may be directed to file an appeal against the impugned order.

4. Upon query of the Court, learned counsel for the Gaya Municipal Corporation submits that the Bihar Municipal



Building Tribunal has, now, been constituted and it has started functioning.

5. In view of the rival submissions and the fact that the petitioner has got alternative remedy before the Bihar Municipal Building Tribunal, this writ application is disposed of with a direction to the petitioner to prefer an appeal before the Tribunal within a period of six weeks from today.

6. It is made clear that till the aforesaid period of six weeks within which the petitioner may file an appeal before the Tribunal, the respondents are restrained from demolishing the part of structure/building of the petitioner in Vigilance Case No. 45/30/18.

7. With the aforesaid observation and direction, this writ application is, accordingly, disposed of.

(Anil Kumar Sinha, J)

S.Ali/-

U			
---	--	--	--

