

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17022 of 2021

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M/s Kanishka Buildcon Pvt. Ltd. through its Director Praveen Kumar, S/o Maheshwari Prasad Singh, Aged about -52 Years, R/- IA/111, G.C. Grand, Vaibhav Khand Indrapuram, Ghaziabad, Uttar Pradesh-201014 and Presently resides at 6B/26A, Tilak Marg, North S.K. Puri, Near Geeranjali Pathology, Boring Road, Patna, Bihar-800013.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary
2. The Principal Secretary, Urban Development and Housing Department, Patna, Bihar.
3. The Commissioner, Patna Municipal Corporation Second Floor, Block-C, Maurya Lok Complex, Budhha Marg, Patna, Bihar-800001.
4. Municipal Executive Officer, Nagar Parishad Office, Danapur Nizamat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate. Mr. Aryan Sinha, Advocate. Mr. Puneet Siddhartha, Advocate.
For Nagar Parishad Danapur:		Mr. Ashok Kumar, Advocate
For the Respondent- State:		Mr. Jakki Haider, AC to SC-9

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-10-2021 Heard the learned Senior counsel for the petitioner, Shri Rajendra Narain, assisted by Shri Puneet Siddhartha, the learned counsel for the respondent no. 4, Nagar Parishad, Danapur, Shri Ashok Kumar, Advocate and the learned counsel for the respondent State, Shri Jakki Haider, AC to SC-9.

The controversy in the present case being trivial in nature, the present writ petition is being disposed of with the consent of the parties, in as much as the show cause notice dated 10.09.2021 appears to have been issued with a premeditated



mind by the Respondent Danapur Nagar Parishad. The learned counsel for the respondent Danapur Nagar Parishad submits that the Danapur Nagar Parishad would go through the sanctioned map pertaining to Plan Case No. 180/2016-17 as also examine the construction of the multi-story Building being made by the petitioner and in case any discrepancy/ irregularity is found, a fresh show cause notice would be issued to the petitioner and after granting ample opportunity to the petitioner to put forth his defence, appropriate action shall be taken, in accordance with law, if so warranted.

The learned Senior counsel Shri Rajendra Narain has got no objection to the aforesaid submission of the Ld. Counsel for the Respondent Danapur Nagar Parishad.

Accordingly, the present writ petition stands disposed of, with the consent of the parties, deeming the aforesaid notice dated 10.09.2021 to be redundant, however, with liberty to the Respondent Danapur Nagar Parishad to proceed afresh, in accordance with law, as aforesaid.

(Mohit Kumar Shah, J)

Tiwary/-

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