

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3886 of 2022

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Kumar Sanjeet Son of Late Naresh Kumar Sinha, Resident of A-136 Housing,
Near Panch Shiv Mandir, Kankarbagh Colony, P.O. - Lohianagar, P.S. -
Kankarbagh, District- Patna 800020.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Town/ Urban Development and Housing Department, Government of Bihar, New Secretariat, Patna.
2. The Chief Municipal Commissioner, Patna Municipal Corporation Office, Mauryalok complex, Bailey Road, Patna.
3. The Patna Municipal Corporation through its Secretary, Maurya Lok Office, Patna.
4. The Principal Secretary Town / Urban Development and Housing Department, Government of Bihar, New Secretariat, Patna.
5. Mayor Patna Municipal Corporation, Patna, Bihar.
6. Superintendent, Government Printing Press Gulzarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Pratap Singh, Advocate
For the Respondent/s : Mr.Subhash Pd. Singh (GA 3)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 11-11-2022

Heard learned counsel for the parties.



Petitioner has prayed for following relief(s) :-

- “a. For issuance of a writ in the nature of a Writ of certiorari setting aside and quashing the notification no. Memo No. 5/Urban/Town/Misc-204/2014-2503 Urban / Town Development and Housing Deptt. Patna dated 03.05.2018 issued under the seal and signature of the Respondent No. 4.
- b. For issuance of a writ in the nature of a writ of mandamus directing and commanding the respondent no. 6 to not to publish the notification under challenge. And further be pleased to stay the operation of the notification if it is/ has been published in the extra ordinary Gazette notification.
- c. For issuance of a writ (s), passing order (s) as your Lordships may deem fit and proper in the facts and circumstances of this case.”

In view of judgment dated 21.10.2022 passed by a co-ordinate Bench of this Court in CWJC No. 11717 of 2021, titled as **Dr. Ashish Kumar Sinha vs. The Union of India & Ors.**, in our considered view, the present petition becomes infructuous.

However, we leave it open to the petitioner to agitate the surviving grievances, if any, before an appropriate forum.

Liberty, as prayed for, is granted.

Petition stands disposed of in the aforesaid terms.



Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	15.11.2022
Transmission Date	

