

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 9456 of 2021

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Meena Yadav W/o Ramesh Prasad Yadav Resident of Ward No.40, Bara
Telpa, Purbari Telpa, P.S.- Chhapra Town, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Bihar, Patna.
2. The District Magistrate, Saran at Chhapra.
3. The Nagar Nigam through its Municipal Commissioner, Saran at Chhapra.
4. The Municipal Commissioner, the Nagar Nigam, Saran at Chhapra.
5. The Sub-Divisional Magistrate, Saran at Chhapra.
6. The Circle Officer, Saran at Chhapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Onkar Nath, Advocate
For the Respondent/s	:	Mr Yogendra Pd Sinha, AAG VII
		Mr Indu Bhushan, Advocate

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CORAM: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR JUSTICE CHAKRADHARI SHARAN SINGH)

3 11-02-2022 This case has been taken up for online hearing through video-conference because of COVID 19 pandemic restrictions.

The petitioner is seeking a direction to the Nagar Nigam, Saran at Chapra to issue work order to make construction of a shop, in the light of an order dated 23.01.2008 passed by the Executive Officer, Nagar Parishad, Chapra.

The said order dated 23.01.2008 has been brought on



record by way of Annexure 2 to the writ application. It is the petitioner's own case that the said order could not be given effect to for one reason or the other. The said order was passed permitting the petitioner to make temporary construction for running a shop. More than 13 years thereafter, this writ application has been filed. It is the petitioner's case that she could not make construction because of the existing encroachments over the land in question

We are not inclined to entertain this writ application only on the ground of delay and laches on the part of the petitioner.

The petitioner shall, however, be at liberty to pursue her matter before the authorities.

This application stands disposed of with the aforesaid observation.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

M.E.H./-

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