

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4614 of 2022

Ram Padarth Saha Son of Late Ram Khelawan Sah, Resident of Flat No. 101, Shanti Bihar Apartment, North Branch Lane of Parwati Path, New Chitragupta Nagar, Kankarbagh, Police Station- Patrakar Nagar, District - Patna and Native Place of Village - Manik Chowk Uttari, Ward No. 09, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Patna Municipal Corporation through its The Municipal Commissioner.
3. The Municipal Commissioner, Patna Municipal Corporation, Patna.
4. The Deputy Municipal Commissioner, Patna Municipal Corporation, Patna.
5. The Vigilance Officer, Patna Municipal Corporation, Patna.
6. The Executive Officer, Kankarbagh Circle, Patna Municipal Corporation, Patna.
7. The Senior Superintendent of Police, Patna District.
8. The Deputy Superintendent of Police, Patna Sadar, Patna.
9. The Station House Officer, Patrakar Nagar Police Station, Patna.
10. Sri Shiv Dayal Singh S/o - not known to the petitioner, Resident of Plot No. 390, North Branch Lane of Parwati Path, New Chitragupta Nagar, Kankarbagh, Police Station- Patrakar Nagar, District - Patna.
11. Sri Rajesh Kumar, S/o - not known to the petitioner, Resident of Plot No. 390, North Branch Lane of Parwati Path, New Chitragupta Nagar, Kankarbagh, Police Station- Patrakar Nagar, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sumit Kumar, Adv.
For the Respondent/s	:	Mr.Ranjay Kr. Singh, AC to SC-6
For P.M.C.	:	Mr.Prasoon Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER



2 28-11-2022 Though, the present writ petition has been filed for directing the Respondent Authorities to remove the encroachment from the road situated on plot no. 391, North Branch Lane of Parwati Path, New Chitragupta Nagar, Kankarbagh, Police Station – Patrakar Nagar, District- Patna in as much as the residents of plot no. 390 have not only encroached the road but are using the same against the provisions contained in Clause- 33 of the Bihar Building Bylaws 2014 (as amended), however, the learned counsel appearing for the respondent Patna Municipal Corporation, Patna has submitted that a vigilance case bearing Vigilance Case No. 19B of 2010 has already been initiated against the respondents no. 10 and 11, which is pending adjudication, before the Municipal Commissioner, Patna Municipal Corporation, Patna and the same is likely to be concluded very soon.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with a direction to the Municipal Commissioner, Patna Municipal Corporation, Patna to expeditiously conclude the proceedings of the aforesaid Vigilance Case, preferably within a period of six months of receipt/production of a copy of this



order.

The writ petition stands disposed off on the aforesaid
terms.

(Mohit Kumar Shah, J)

Tiwary/Saurav

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