

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5963 of 2022

Mirza Haider Ali Son of Late Mirza Sulaiman Haider Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Nagar Ayukt, Patna Municipal Corporation, Patna- 800001.
3. The District Magistrate, Patna- 800001.
4. The Executive Engineer, Patna Municipal Corporation, Azimabad Division, Patna City- 800007.
5. The Executive Officer, Patna Municipal Corporation, Azimabad Division, Patna City- 800007.
6. The Sub Divisional Officer, Patna City, Patna- 800007.
7. Md. Farid Alam Son of Late Md. Saddique Alam Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
8. Md. Afroz Alam Son of Late Md. Saddique Alam Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
9. Md. Shanawaz Alam Son of Late Md. Saddique Alam Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
10. Md. Chand Alam Son of Late Md. Saddique Alam Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
11. Md. Firoz Alam Son of Late Md. Saddique Alam Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
12. Sanjeev Kumar Son of Late Ashok Kumar Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
13. Dabli Kumar Son of Late Ashok Kumar Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
14. Bhola Kumar Son of Late Ashok Kumar Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
15. Anil Kumar Son of Late Ashok Kumar Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
16. Manoj Kumar Son of Late Ashok Kumar Resident of Moghal Pura, Foujdari



- Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
17. Ranjeet Paswan Son of Late Vijay Paswan Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
 18. Lala Paswan Son of Late Vijay Paswan Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
 19. Sanjay Paswan Son of Late Jagdish Paswan Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
 20. Ramphal Paswan Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
 21. Amka Paswan Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.
 22. Ramanand Paswan Resident of Moghal Pura, Foujdari Kuan, Police Station- Khajekalan, Post Office- Jhauganj, District- Patna City, Patna- 800008.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Singh, Adv Mr.Raj Daula Sah, Adv. Mr.Praveen Prakash, Adv.
For the Respondent/s	:	Mr.Kinkar Kumar (Sc 9)
For the P.M.C.	:	Mr.Sanjay Prakash Verma,Adv.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-12-2022 The present writ petition has been filed
seeking the following reliefs:-

1(i). For issuance of an appropriate writ/ writs, direction/directions, commanding the respondents authorities to remove the encroachment made over the land of Municipal Corporation by private respondent no.7 to 16 although they have to construct the house over their own land bearing Municipal Survey Plot No. 1540, Sheet No.200, Ward No.22/ 60,



Area 48 Kari, situated at Mogalpura, Faujdari Kuan, Police Station- Khajekalan, Patna City.

(ii) For issuance of an appropriate writ/ writs, direction/ directions, commanding the respondents authorities to demolish the Building made by private respondent no. 17 to 22 over the land of Patna Municipal Corporation, Patna City, bearing Municipal Survey Plot No. 1541, Sheet No. 200, Ward No. 22/60, Area 157 Kari."

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Respondent No.2 i.e. Nagar Ayukt, Patna Municipal Corporation, Patna, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioner to approach the Respondent No.2, by filing appropriate representation, within a period of four weeks from today, which shall be



considered, in accordance with law, and appropriate decision shall be taken thereon, within a period of twelve weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/Sonal-

U			
---	--	--	--

