

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20986 of 2021

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Dilip Kumar Malviya, aged about 54 years, Male, S/o, Late Jaydeo Malviya
R/o-Block no-35, Flat No-261, Road No. 10E, Sampatchak, P.S.-Kadamkuan
(Rajendra Nagar), Dist-Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Commissioner Municipal Corporation, Patna.
2. The Real Estate Officer, Patna Municipal Corporation, Patna.
3. The Patna Regional Development Authority, Vice Chairman,

... .. Respondents

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Adv.
For the Respondents : Mr. Kinkar Kumar, SC-9

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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)

2 27-01-2022 This matter has been taken up for hearing online because of *COVID-19* pandemic restrictions.

2. It is the petitioner's admitted case that he has made illegal construction over a plot of Patna Regional Development Authority ('PRDA for short') in violation of the lease deed. There is admission to this effect in Paragraph No.13 of the writ petition.



3. The petitioner has been put to notice by the Estate Officer, Patna Municipal Corporation, asking him to explain as to why the allotment of plot be not cancelled, the said illegal construction having been made in violation of Clause 6 of the lease deed. The petitioner has, admittedly, not filed his reply to the said show cause notice.

4. Learned counsel appearing on behalf of the petitioner has drawn our attention to Annexure-7 of the writ application, which is a representation made to the Municipal Commissioner, Patna. From the said representation, it transpires that the petitioner has alleged that there are several similar illegal constructions made in respect of which, no action is being taken.

5. Our attention has also been drawn to the remarks made by the Municipal Commissioner, Patna over the said representation.

6. The petitioner is seeking a direction that if the authorities intend to demolish illegal construction made by the petitioner, they must take similar action against other persons, who have made illegal construction.

7. In our view, the writ application is wholly misconceived, moreso also for the reasons that the Municipal Commissioner, Patna has already taken cognizance of the



petitioner's representation. This application is, accordingly,
dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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