

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15993 of 2018

1. Ashok Kumar S/o Sri Lalan Kumar Singh Resident of Plot No. F/145, P.C. Colony Kankarbagh, P.S. Kankarbagh, District- Patna.
2. Ramkumar Sharma S/o late Dhaneshwar Sharma Resident of Plot No. F/142, P.C. Colony Kankarbagh, P.S. Kankarbagh, District- Patna.
3. Dinesh Mishra Son of late Ramashray Mishra Resident of Plot No. F/111, P.C. Colony Kankarbagh, P.S. Kankarbagh, District- Patna.
4. Umesh Prasad S/o late R.S. Lal Resident of F/642, Housing Board Colony, Police Station- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban and Housing Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Registrar, Department of Cooperative, Govt. of Bihar, Patna.
4. Patna Municipal Corporation, Patna through its Chief Executive Officer.
5. The Secretary, Peoples Co-operative House Construction Society Limited, Kankarbagh, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Respondent/s : Mr.Subhash Prasad Singh, GA 3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-07-2023

The Public Interest Litigation seeks to ensure the peaceful community living of the residents of a Peoples Co-operative Colony at Kangarbagh, Patna. It is



claimed that there are vested interests disturbing and encroaching upon the road as also the civil amenities provided to the residents. The relief prayed for is to put a stop to all sorts of nuisance created in the locality apart from dumping of garbage and encroachment of road; quite a blanket prayer not possible of being granted or implemented.

2. The Society represented by the Honorary Secretary itself has filed a counter affidavit dated 21.01.2019 specifically contending that sanction for building plans and periodical inspection of construction works as also issuance of completion and occupancy certificates are being done by the Patna Municipal Corporation (hereinafter referred to as the 'Corporation') under the exiting rules and regulations. It is also stated that the Corporation has taken action with the assistance of the District Administration to remove encroachments from the roads and also removal of garbage.

3. We are of the opinion that the writ petition pending comatose for the last five years with the affidavit of the Society filed as early as on 21.01.2019,



need not be kept pending. There is no further grievance raised on this account by the petitioners.

4. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	19.07.2023
Transmission Date	

