

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12078 of 2017

=====

Yamuna Prasad Srivastava, Son of late Satyanarayan Lal, Resident of Flat No. 206, Block-'C', Millennium Homes Bind Tola P.S. Shastri Nagar, Sheikhpura, Patna-800014.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Urban Development Department, Patna.
2. Municipal Commissioner, Patna Municipal Corporation, Patna Defunct P.R.D.A., Maurya Lok Complex, wing 'B', Patna-800001.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar No.1, Advocate
For the Respondent/s	:	Mr. GP-1
For the PMC	:	Ms. Archana Palkar Khopde, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 03-04-2023 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Patna Municipal Corporation.

The writ application has been filed seeking a writ of mandamus commanding the respondent no.2 to grant permission for registration of Flat No. 206, Block-C situated on the Second Floor of Millennium Homes, Binda Tola, Sheikhpura, Patna-8000014 admeasuring 1250 square feet along with a car parking which the petitioner had purchased from Ms. Kiran Builder and Developer after paying the entire consideration money of Rs. 7.70 lakhs.

Learned counsel for the petitioner submits that in



pursuance of payment of the consideration for the flat in question, a sale deed was executed on 20.05.2013 (Annexure-1 to the writ application) between the petitioner and the builder, further the builder did not complete the project in time, however the lawful possession of the flat in question was given to the petitioner by the builder on 25.04.2004 and since then the petitioner started living there and is paying the electric charges and other legal dues. It is next submitted that the petitioner on several occasions had requested the builder to get the registry of the flat done with the competent authority but despite his request, the same was not done and subsequently the builder also died, thereafter the petitioner approached the Patna Municipal Corporation for granting permission for registration of the flat in question after completing all the formalities along with necessary documents as required by the Corporation and applied for the same *vide* receipt no. 2650 dated 28.07.2010. It is next submitted that till date nothing has been done and the petitioner is a senior citizen aged about 72 years and is suffering from cancer and thus seeks that at least the flat be registered with the Corporation in his name.

Learned counsel appearing on behalf of the Patna Municipal Corporation submits that no doubt as pleaded in the writ application it appears that the matter regarding registration



of the flat in question is pending with the Corporation for a long time but then endeavor would be made to register the flat in the event if all the documents, as required, are in accordance with law. It is further submitted that the petitioner be asked to file a fresh representation along with all the relevant documents so that action can be taken promptly to which the learned counsel for the petitioner agrees.

After hearing the learned counsel for the parties, the writ application is disposed of with a direction that the petitioner will file a fresh representation along with all the required documentary evidence for registering the flat in question before the Municipal Commissioner, Patna within a period of ten weeks from today and in the event, if such representation along with necessary documents is filed, the Municipal Commissioner, Patna Municipal Corporation is directed to dispose of the same expeditiously preferably within a period of three months from the date of filing of the representation along with relevant documents, in accordance with law.

Accordingly the writ application is disposed of.

(Satyavrat Verma, J)

Rishi-II/-

U			
---	--	--	--

