

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.925 of 2018

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Smt. Jyoti Singh wife of Sri Jeevan Kumar Singh, resident of Block No. 25,
Flat No. 197, Road No. 12, Rajendra Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Municipal Commissioner, Patna Municipal Corporation, Patna.
3. Executive Engineer, Bankipur Circle, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Advocate Mr. Abhay Kumar, Advocate
For the Respondent/s	:	Mr. Abbas Haider -SC6 Mr. Shailendra Kumar, Advocate
For Patna Municipal Corp.	:	Mr. Bindhyachal Singh, Sr. Advocate Mr. Vipin Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 11-07-2023 Heard Mr. Ajit Kumar, learned counsel for the
petitioner and the State as also the Patna Municipal Corporation.

That the instant Civil Writ application has been filed
for a direction to the respondent authorities to undertake
repairing work of damaged roof of Flat No. 197, Block No. 25,
2nd floor, Rajendra Nagar, Road no. 12, Patna as directed vide
order dated 14.12.2017 contained in Memo no. 12821/Pchivipra
(vi), Patna issued under the signature of Commissioner,
Corporation Patna Municipal Municipal after providing some
alternative accommodation to the petitioner, a permanent lessee
of Flat no. 197, ground floor of the same Block No. 25 within a



specified period and in any view of the matter not without giving reasonable time to vacate the Flat no. 197 if at all the same is also required to be vacated as well as for any other relief or reliefs the petitioner may be entitled in the facts and circumstances of the case.

A counter affidavit filed by the Patna Municipal Corporation accepts that it is in a bad condition. However, instead of taking steps for its renovation, it is sitting tight over the same with further direction to the occupants to leave the building or they will be responsible for any eventuality.

Learned counsel for the petitioner submits that the flat in question has already been vacated so that the PMC could take up construction work. However, till date, no step has been taken.

The Patna Municipal Corporation is mum on the point whether it wants the building to be renovated and/or to provide the allottees separate accommodation.

The 2016 letters/order of the PMC has still not been complied by the concerned Corporation itself which shows how it is functioning. In the process, the citizens are made to suffer and live under the sky as according to the Corporation, it is inhabitable.



The Patna Municipal Corporation is directed to immediately take step and renovate the entire building if still not done and complete the same preferably by 31st of December, 2023.

The order is being passed in the presence of the learned counsel for the Patna Municipal Corporation and it is expected that on the 1st of new year, 2024, the petitioner will be able to move into his own flat after the same is renovated by the Patna Municipal Corporation and handed over to her.

The writ petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

Jagdish/Kiran/-

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