

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2210 of 2023

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1. Lalita Devi Wife of Late Satya Narayan Mishra, Resident of Ganghara Niwas, Mohalla Basant Vihar Colony, Jay Prakash Path (Boring Road), P.S. Shri Krishnapuri, Patna- 800001.
 2. Bimal Kumar Son of Late Satya Narayan Mishra, Resident of Ganghara Niwas, Mohalla Basant Vihar Colony, Jay Prakash Path (Boring Road), P.S. Shri Krishnapuri, Patna- 800001.

... .. Petitioner/s

Versus

1. The Commissioner, Municipal Corporation, Maurya Lok, C- Block, Patna- 800001.
2. The Executive Officer, Patliputra Circle, Patna Municipal Corporation, Sahdeo Mahto Marg, Shri Krishnapuri, Patna- 800001.
3. Lavina Sharma @ Aarti Sharma Wife of Late Ambarjyoti Sharma, Resident of Nayantara Sadan, Jay Prakash Path (Boring Road), P.S. Shri Krishnapuri, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Basant Kr. Choudhary, Sr. Adv.
	:	Mr. Arvind Kumar, Adv.
For the Respondent/s	:	Mr. Prasoon Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-07-2023 Learned Sr. counsel Mr. Basant Kr. Choudhary along with, Mr. Arvind Kumar, Advocate for the petitioner, learned counsel for the Patna Municipal Corporation are present.

2. The present writ petition has been filed against the order passed by the Executive Officer/ Assessment Officer in Mutation Case Nos. 694 of 2016-17 and 684 of Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013-14.

3. Counsel for the Patna Municipal Corporation raised

objection and submits that the order which is under challenge before this Court is challengeable before the Commissioner of Patna Municipal Corporation.

4. The said order is challengeable under Section 141 of the Bihar Municipal Act, 2007, therefore, the remedy lies to the petitioner is before the Chief Municipal Officer (Municipal Commissioner, Patna Municipal Corporation). He further submits that being aggrieved and dissatisfied with the order of Municipal Commissioner, Patna Municipal Corporation, the petitioner may also appeal before the District Judge under Section 143 of the Bihar Municipal Act, 2007.

5. In this background, this writ petition is allowed directing the petitioner to avail his remedy before the Patna Municipal Commissioner.

6. With the aforesaid direction, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

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