

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3672 of 2023

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Bimlesh Kumar Son of Late Bhubneshwar Pd. Bhaskar Resident of Mohalla-Kajipur Machuatoli, Bari Path, Patna- 800004, Present Address- Rajendra Nagar, Road No. 6 B, Patna- 800016.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development, Govt. of Bihar, Patna.
2. The Principal Secretary, Urban Development, Govt. of Bihar, Patna.
3. The Commissioner, Patna Municipal Corporation, Patna.
4. The Executive Officer, Bankipore Anchal, Patna Municipal Corporation, Patna.
5. The District Magistrate, Patna.
6. The Superintendent of Police, Patna.
7. The Officer-in-Charge, Kadamkuan P.S., Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Adv.
For the State	:	Mr. Subhash Pd. Singh (GA 3)
For the PMC	:	Mr. Sanjay Prakash Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 17-08-2023

Heard Mr. Ajit Kumar, learned counsel for the petitioner. Mr. Sanjay Prakash Verma, learned counsel representing the Patna Municipal Corporation and Mr. Subhash Prasad Singh, learned GA 3 for the State are present.

2. By invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution, the petitioner seeks a direction to the authority concerned to declare the old dilapidated house situated at Mohalla-Kajipur, Machuatoli, Bari



Path, Patna-800007 bearing Holding Nos. 175/133, Old I.D. No. 2102083 and Holding Nos. 176/134, Old I.D. No. 2159266 having total area of 15740 sq. ft. belonging to the petitioner as unfit for human inhabitant in view of the enquiry and recommendation of the Municipal Authorities dated 21.07.2022.

3. A counter affidavit has been filed on behalf of respondents no. 3 and 4 and with reference thereto Mr. Verma, learned counsel representing the Patna Municipal Corporation submits that on the basis of the application of the petitioner, the matter was examined and the concerned Engineer of Nagar Vikas Pramandal, Bankipur made a spot inspection and submitted his report, as contained in Annexure-A to the counter affidavit. He further submitted that on the basis of the report submitted by the concerned engineer, necessary steps are being taken to pass appropriate order in the matter as per law. It is expected that the appropriate order would be passed at the level of the Municipal Commissioner, Patna Municipal Corporation, Patna within a period of 12 weeks after following all the formalities as required therefor.

4. In view of the averments made in the counter affidavit as well as the submissions made on behalf of the counsel representing the Patna Municipal Corporation, the



present writ application stands disposed of with a direction to the respondent no. 3 to take appropriate action in the matter and pass a final order on the application filed by the petitioner, preferably within a period of 12 weeks from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	19.08.2023
Transmission Date	N.A.

