

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8754 of 2021

=====

Ajay Kumar son of late Satyanarain Rai @ Ram Murti Rai, resident of Baldeo Bhavan Road, near P.N.B. Mohalla Mohanpur, Police Station Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, New Secretariat Board, Bailey Road, Patna.
2. The Town Commissioner, Patna Municipal Corporation, Patna.
3. The Director, Town Planning, Patna Municipal Corporation, Patna.
4. The Additional Town Commissioner, (Enforcement), Patna Municipal Corporation, Patna.
5. The Executive Officer, Pataliputra Circle, Patna Municipal Corporation, Patna.
6. The Executive Engineer, Pataliputra Division, Patna Municipal Corporation, Patna.
7. Shri Satyendra Kumar, resident of Mohalla- Mohanpur, Punaichak, behind P.N.B., Police Station- Shastri Nagar, District- Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Himanshu Sagar, Advocate Mr.Abhay Kunal, Advocate
For the State	:	Mr.Rakesh Ambastha, AC to AAG-07
For PMC	:	Mr.Prasoon Sinha, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-08-2023 The present writ petition has been filed seeking the following relief(s):-

“1. That this writ application is being filed for quashing the order dated 18.2.2021 passed in Vigilance Case No. 04B/2019 by the Town Commissioner, Patna Municipal Corporation, Patna communicated through Memo No. 3068 dated 18.2.2021 directing the petitioner to demolish the building constructed by the petitioner by which the petitioner has been



directed to demolish the construction of the house made by the petitioner.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 18.02.2021, by filing appropriate appeal before the Municipal Building Tribunal, Patna, however, seeks some protection during the interregnum period.

Having regard to the limited prayer, made by the petitioner, in the present writ petition, I deem it fit and proper to grant liberty to the petitioner to file appropriate appeal, as aforesaid and in case such an appeal is filed, within a period of four weeks from today, the same shall be heard on merits and decided, in accordance with law, forthwith.

It is needless to state that for a period of four weeks from today, status quo existing as on today qua the land/house of the petitioner in question shall be maintained in order to enable the petitioner to file appropriate appeal alongwith a petition for grant of interim relief.

The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

