

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5004 of 2023**

1. Dr. Sanjeev Kumar S/o Late Jagat Lal Baishyantri, R/o 4th Floor, JNJ Panorma Square, Zila School Road, Bhatta Bazar, P.S. - K Hat, District - Purnea - 854301.
2. Mr. Rahul Kumar, S/o Late Jagat Lal Baishyantri, R/o 4th Floor, JNJ Panorma Square, Zila School Road, Bhatta Bazar, P.S.- K Hat, District - Purnea - 854301.

... .. Petitioner/s

Versus

1. The Municipal Corporation, Purnea through its Municipal Commissioner, namely Mr. Arif Ahsan, I.A.S.
2. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
4. The District Magistrate, Purnea namely Mr. Suharsh Bhagat, I.A.S.
5. The Sub-Divisional Magistrate, Purnea Sadar, Town and Dist. - Purnea.
6. The North Bihar Power Distribution Company Ltd., Govt. of Bihar, third floor, Vidyut Bhawan, Bailey Road, Patna through its Managing Director.
7. The Electrical Executive Engineer, Electric Supply Division, East and West, Purnea.

... .. Respondent/s

**Appearance :**

|                              |   |                                                                                          |
|------------------------------|---|------------------------------------------------------------------------------------------|
| For the Petitioner/s         | : | Mr. Purushottam Jha, Advocate<br>Mr. Amit Kumar Anand, Advocate                          |
| For the Respondent/s         | : | Mr. Kinkar Kumar, SC-9<br>Mr. Yogesh Kumar, AC to SC-9<br>Ms. Deepika Sharma, AC to SC-9 |
| For the Corporation          | : | Mr. P.N. Shahi, Sr. Advocate<br>Mr. Bijendra Kumar Singh, Advocate                       |
| For the Respondent No. 6 & 7 | : | Mr. Vinay Kirti Singh, Sr. Advocate<br>Mr. Anjani Kumar, Sr. Advocate                    |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      06-04-2023                      Heard learned counsel for the petitioners, learned Senior counsel for the Electrical Executive Engineer, learned Senior counsel for the Municipal Commissioner, Purnea, learned AAG-4 assisted by learned SC-9 Mr. Kinkar Kumar.



In compliance of the order dated 05.04.2023, the District Magistrate, Purnea, the Municipal Commissioner, Purnea Municipal Corporation, the S.D.O, Purnea and Electrical Executive Engineer, Purnea are physically present before this Court.

After hearing the learned Senior counsels appearing for the aforesaid Officers and the apology tendered by the Officers, the Court does not feel persuaded to proceed with the matter any further.

The learned counsel for the petitioners submits that already an appeal being Appeal No. 14N of 2023 has been preferred against the order dated 21.02.2023 passed by the Municipal Commissioner, Purnea in Vigilance Case No. 15 of 2022-2023 and the same is pending adjudication. It is next submitted that the Municipal Tribunal presently is not functional in absence of Coram.

At this stage, the learned AAG-4, Mr. Anjani Kumar, submits that he will personally look into the matter and will apprise the learned Advocate General and will make endeavours to ensure that the Municipal Tribunal becomes functional at the earliest.

Since the appeal is pending, as such, the Court does



not feel persuaded to pursue any further with the writ application.

**The writ application is disposed of with a direction to the Appellate Authority to dispose of the appeal within a time frame preferably within six months of its constitution, if possible.**

The petitioners would be at liberty to pray for stay before the Tribunal when the matter is taken up on the first day, till then the order impugned passed by the Municipal Commissioner, Purnea and the S.D.O., Purnea will remain in abeyance.

The appearance of the District Magistrate, Purnea, Municipal Commissioner, Purnea, S.D.O, Purnea and the Electrical Executive Engineer, Purnea is dispensed with.

Let this order be communicated to the learned AAG-4, Mr. Anjani Kumar, for necessary action.

**(Satyavrat Verma, J)**

Rishabh/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

