

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5832 of 2023**

1. Naresh Kumar Mahto Son of Jivachh Mahto Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
2. Vibha Devi W/o Late jai Shankar Jha Resident of Ward No. 24, P.S. Muffasil, Distirct-Samastipur.
3. Vikash Kumar Son of Rama Nand Jha Resident of Ward No. 24, P.S. Muffasil, Distirct-Samastipur.
4. Krishna Kumar Agrawal Son of Late Nand Kishore Prasad Agrawal Resident of Ward No. 21, Pethiyagachhi, P.S.- Muffasil, Distirct-Samastipur.
5. Ram Babu Shah Son of Sri Khikhar Shah Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
6. Shyam Babu Shah Son of Sri Khikhar Shah Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
7. Khikhar Shah Son of Late Ram Prakash Shah Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
8. Sushil Kumar Das Son of Khikhar Shah Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
9. Satya Prakash Son of Binod Shah Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
10. Parmeshwari Devi W/o Late Mohan Prasad Sah Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
11. Priyanka Agrawal W/o Manish Kumar Agrawal Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.
12. Swati Agrawal W/o Rajnish Agrawal Resident of Ward No. 21, P.S. Muffasil, Distirct-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Building Construction Department, Government of Bihar, Patna.
2. The Collector, Samastipur.
3. The Samastipur Nagar Nigam through its Executive Officer, Samastipur.
4. The Executive officer, Samastipur Nagar Nigam, Samastipur.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate  
For the Respondent/s : Mr. Kinkar Kumar(Sc9)

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

2      09-05-2023

Heard learned Senior counsel for the petitioners Mr.



Chitranjan Sinha assisted by learned Advocate Mr. Ranjeet Kumar Yadav, learned counsel for the State along with learned counsel for the Nagar Nigam, Samastipur.

The learned Senior counsel at the outset submits that the petitioners would be satisfied in the event, if a direction is issued upon the respondent no. 4 to consider and pass appropriate orders with respect to the trace map submitted by the petitioners for construction/ reconstruction of the residential building in accordance with Bye Laws 2022 (2) of the Bihar Building Bye Laws 2014 (as amended in 2022).

It is next submitted that petitioners are the owners of the respective lands and houses and some of the petitioners are there on their land since long and are paying land revenue to the State Government till date along with the required taxes to the Samastipur Nagar Nigam as would be evident from Annexure-1 series. It is next submitted that petitioners by way of Annexure-2 Series have brought on record the sketch map of their land showing that the land is at a distance of more than 30 meters from the river edge, it is next submitted that the petitioners submitted trace map of their respective residential houses to be constructed/ reconstructed over their respective lands to the respondent no. 4 after depositing the required fee as would be



evident from Annexure-3 Series.

Learned Senior counsel submits that till date the trace map submitted by the petitioners for seeking permission for constructing/ reconstructing their houses is still pending consideration, as such, seeks a direction upon the respondent no. 4 to pass appropriate orders in accordance with law within a time frame.

Learned counsel for the Nagar Nigam does not object to the prayer made by the learned Senior counsel for the petitioners.

After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the respondent no. 4 to dispose of the trace map submitted by the petitioners in accordance with law expeditiously and preferably within a period of three months from the date of receipt production of a copy of this order.

**(Satyavrat Verma, J)**

GauravSinha/-

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