

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6917 of 2023

Chandan Kumar Singh Son of Late Kamleshwari Prasad Singh @
Kamleshwari Singh, resident of Mohalla - Shivpuri behind Bal Bharti School,
Police Station - K.Hat, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Bihar, Patna.
2. The District Magistrate, Purnea.
3. The Municipal Corporation, Purnea through its Municipal Commissioner, Purnea.
4. The Municipal Commissioner, Municipal Corporation, Purnea.
5. The Amin Municipal Corporation, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh, Adv.
For the State	:	Mr.Abbas Haider, SC-6
		Mr.Ravish Chandra, AC to SC-6
For the PMC	:	Mr.Prince Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-11-2023

1. The present writ petition has been filed seeking the following relief(s):-

“ 1. That this is an application for issuance of an appropriate writ or writs in the nature of Certiorari quashing the notice issued by Municipal Commissioner, Municipal Corporation, Purnea contained in Memo No.2422 dated 10.4.2023 whereby he has directed the petitioner to remove the encroachment from the land bearing Khata No.230, Plot No.1736 area 1'6"/75' situated in Mauza Maranga, District-Purnea which has been temporarily encroached failing which the same shall be removed by taking appropriate action under Section 435 of the Bihar Municipal Act,



2007.”

2. At the outset, the learned counsel for the petitioner has submitted that the petitioner has already filed his objection to the notice dated 10.03.2022, issued by the Municipal Commissioner, Municipal Corporation, Purnea, hence the same be directed to be disposed off, in accordance with law.

3. The learned counsel appearing for the Municipal Corporation, Purnea, submits that the objections filed by the petitioner, would definitely be considered and disposed off, in accordance with law.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the Municipal Commissioner, Municipal Corporation, Purnea, to consider the objections filed by the petitioner and pass a reasoned and a speaking order, in accordance with law, within a period of six weeks from today and till then, status quo existing as on today qua the land/house of the petitioner in question shall be maintained.

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

(Mohit Kumar Shah, J)

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