

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18059 of 2017

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Anil Kumar Son of Sri Birendra Kumar Singh, SPM School, Chandmari Road, Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation Through The Municipal Commissioner , P.M.C. Maurya Lok Complex, P.S. Kotwali, District- Patna.
2. Municipal Commissioner, Patna Municipal Corporation, Patna.
3. Smt. Baby Singh, Wife of Sri Bishwanath Singh, Bharosa Bhawan, Chandmari Road, Kankarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate
For the Respondent/s : Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-04-2023 Heard learned counsel for the petitioner and learned counsel for the State along with learned counsel for the Patna Municipal Corporation, Mr. Prabhakar Singh.

The learned counsel for the Patna Municipal Corporation, at the outset, submits that the Municipal Tribunal now has become functional.

The learned counsel for the petitioner submits that he has already filed an appeal being Appeal No. 17(s) of 2017 before the Municipal Building Tribunal-II against the order dated 13.11.2017 passed by the Municipal Commissioner, Patna Municipal Corporation in Vigilance Case No. 02B of 2017 whereby the petitioner was directed to stop the running of the



school situated in the residential building and also to get sanction of the map of the constructed building in accordance with the building bye-laws, 2014 failing which the building would be demolished and the cost of demolition shall be realized from the petitioner.

Since the Municipal Tribunal has become functional, as such the Court is not inclined to proceed with the writ application any further.

The writ application is, thus, disposed of with a direction to the learned Municipal Commissioner to decide the appeal of the petitioner expeditiously and preferably within a period of six months from the date of receipt/production of a copy of this order, if possible.

The order of the status quo granted to the petitioner by order dated 12.12.2017 shall remain in operation till the first date of hearing of the appeal before the Tribunal.

The petitioner would be at liberty to make prayer before the Tribunal for seeking status quo.

(Satyavrat Verma, J)

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