

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.38 of 2021

In

Civil Writ Jurisdiction Case No.10975 of 2017

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1. The Patna Municipal Corporation, Patna, through the Patna Municipal Commissioner, Maurya Lok Building, Patna- 800001.
 2. The Patna Municipal Corporation, Patna, Maurya Lok Building, Patna- 800001.

... .. Appellant/s

Versus

1. Gajendra Mohan Mishra S/O - Late Justice Govind Mishra Resident in India- Plot No. 165B, Sri Krishna Puri, Sahdeo Mahto Marg, Patna- 800001.
2. Gunendra Mohan Misra Son of Late Justice Gobind Mohan Misra Permanent Residence of - Plot No. 165B, Sri Krishna Puri, Sahdeo Mahto Marg, Patna- 800001 and presently residing at Block B- 304, Bansal Plaza, Station Road, Ranchi- 834001.
3. Nirendra Mohan Misra Son of Late Justice Gobind Mohan Misra Permanent Residence of - Plot No. 165B, Sri Krishna Puri, Sahdeo Mahto Marg, Patna- 800001.
4. Prakash Kumar @ Munna Ji Son of Murali Prasad Sinha Apurana Developers Private Limited, Plot No. 8E, Road No. 12, Rajendra Nagar, P.S. - Kadamkuan, Patna.

... .. Respondent/s

with

Letters Patent Appeal No. 42 of 2021

In

Civil Writ Jurisdiction Case No.7404 of 2017

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1. The Patna Municipal Corporation, Patna, through the Patna Municipal Commissioner, Maurya Lok Building, Patna-800001.
 2. The Patna Municipal Commissioner, Patna Municipal Corporation, Patna.
 3. Assistant Engineer, Patna Municipal Corporation, Patna.
 4. Vigilance Officer, Patna Municipal Corporation, Patna.
 5. Executive Engineer, Patna Municipal Corporation, Patna.
 6. Junior Engineer, Patna Municipal Corporation, Patna. its registered office at Maurya Lok Building, Patna-800001.

... .. Appellant/s

Versus

Prakash Kumar Son of Sri Murali Prasad Sinha, Resident of Plot No.8E, Road No. 12, Rajendra Nagar, P.S.-Kadamkuan, Patna-800001.



... .. Respondent/s

with
Letters Patent Appeal No. 62 of 2021
In
Civil Writ Jurisdiction Case No.2432 of 2017

1. The Patna Municipal Corporation, Patna through the Patna Municipal Commissioner, Maurya Lok Building, Patna- 800001.
2. Town Commissioner, The Patna Municipal Corporation, Patna, Maurya Lok Building, Patna.
3. Assistant Engineer, Nutan Rajdhani Anchal, Patna Municipal Corporation, Mauryalok Complex, Patna.
4. Additional Town Commissioner, Patna Municipal Corporation at Mauryalok Complex, Patna.
5. Vigilance Officer, Patna Municipal Corporation at Mauryalok Complex, Patna.
6. Executive Officer, Patna Municipal Corporation at Mauryalok Complex, Patna.

... .. Appellant/s

Versus

1. Smt. Arti Banerjee @ Arati Banerjee wife of Debanshu Banerjee resident of Plot No. 215, Type- A, Srikrishnapuri, P.S.- Srikrishnapuri, District and Town- Patna.
2. Maa Shambhavi Engicon Pvt. Ltd. Through its Managing Director, Rajesh Kumar, Arya Kumar Road, Near Basti School, Patna.

... .. Respondent/s

with
Letters Patent Appeal No. 362 of 2021
In
Civil Writ Jurisdiction Case No.6546 of 2017

1. Patna Municipal Corporation Maurya Lok Complex, Patna through its Municipal Commissioner.
2. Municipal Commissioner, Patna Municipal Corporation at Maurya Lok Complex, Patna.
3. Vigilance Officer, Patna Municipal Corporation at Maurya Lok Complex, Patna.
4. Executive Officer, Patna Municipal Corporation at Maurya Lok Complex, Patna.

... .. Appellant/s

Versus



Shri Sanjay Singh S/o of Late Niryanand Singh Resident of 134/B, Mohalla, P.O. and P.S.- Sri Krishnapuri, Dist- Patna at present resident of A-13, Friends Colony East, New Delhi- 110065.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 38 of 2021)

For the Appellant/s : Mr.Prabhakar Singh

For the Respondent/s : Mr.Nilanjan Chatterjee

(In Letters Patent Appeal No. 42 of 2021)

For the Appellant/s : Mr.Prabhakar Singh

For the Respondent/s : Mr.Siddhartha Prasad

(In Letters Patent Appeal No. 62 of 2021)

For the Appellant/s : Mr.Yashraj Bardhan

For the Respondent/s : Mr.Jitendra Kishore Verma

(In Letters Patent Appeal No. 362 of 2021)

For the Appellant/s : Mr.Prasoon Sinha

For the Respondent/s : Mr.Jitendra Kishore Verma

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

- 13 24-07-2023 1. Learned counsel for the appellant has submitted that the office objection has been cleared and for the first time, the office has raised objection that writ petition is not accompanied by interlocutory application No.6254 of 2017. Such things have been noticed by the Registry on 21.07.2023 which is bounden duty of the appellant to furnish each and every documents which was part and parcel of C.W.J.C. in the light of Rule 4 of Chapter IIIA of Rules of High Court at Patna (LPA) Procedure. Therefore, the petitioner cannot say that office has raised objection on 21.07.2023 insofar as non-production of I.A. No.6254 of 2017. The petitioner's counsel is



directed to arrange for production of I.A. No.6254 of 2017 during the course of the day. It is submitted that he is not in a position to submit such I.A. No.6254 of 2017. Therefore, further time cannot be granted in the light of earlier orders.

2. Accordingly, the present L.P.A. No. 38 of 2021, L.P.A. No.42 of 2021, L.P.A. No. 62 of 2021 and L.P.A. No. 362 of 2021 are dismissed for non-compliance of office objection.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

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