

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15653 of 2022

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1. Subodh Chandra Yadav Son of Late Govind Gope, Resident of Village and P.O.-Bari Khanjarpur, P.S.-Jagdishpur, District-Bhagalpur.
 2. Pitambar Prasad Son of Late Jagarnath Yadav, Resident of Village- Bari Khanjarpur, P.S.-Jagdishpur, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreretary Urban Development Government of Bihar Patna.
2. The Commissioner Bhagalpur Municipal Commissioner Bihar. Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Respondent/s : Mr. Kinkar Kumar (SC-9)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2023 Heard the parties.

The prayer is for quashing the order passed by the
Bhagalpur Municipal Corporation.

Mr. Manish Kumar, learned State counsel has drawn
attention of this Court an order of the Division Bench dated
02.12.2022 in CWJC No.13974 of 2022 which read as follows:

*“Heard learned counsel for the
parties.*

*1. That the present writ
application is being filed against the notice
of the Bhagalpur Municipal Corporation,
Bhagalpur contained in Memo No.2250,
dated 24.08.2022, issued by the Municipal*



Commissioner, Bhagalpur Municipal Corporation (Annexure-1) whereby and whereunder the petitioner has been directed to vacate the shop within a week so as to allot the shops afresh else, the same shall be forcibly vacated which is under the ownership of Bhagalpur Municipal Corporation.

Petitioner has prayed for the following relief(s):-

Learned counsel for the respondents submits that proceedings for ejectment, in accordance with law, shall be initiated before the appropriate forum.

Statement accepted and taken on record.

In this view of the matter, we dispose of the present petition.

Needless to add, petitioner's eviction shall be in accordance with law.

Our interim order dated 30.09.2022 stands modified to the aforesaid



extent.

*Interlocutory Application(s), if
any, shall stand disposed of.”*

Let the order be kept on record.

In that view of the matter, the present writ petition also stand disposed of inline with the aforesaid order with observation that the eviction of the petitioner shall be in accordance with law.

The writ petition stands disposed of.

(Rajiv Roy, J)

Prakash Narayan

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