

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2299 of 2024

1. Jarnail Singh Son of Late Charan Singh, Resident of M/s Bhargo Saw Mill, Compound, Mithapur, P.S. Jakkanpur, Town and District Patna.
2. Rajendra Singh, son of Late Charan Singh, Resident of M/s Bhargo Saw Mill, Compound, Mithapur, P.S. Jakkanpur, Town and District Patna.
3. Ravindra Singh, Son of Late Charan Singh, Resident of M/s Bhargo Saw Mill, Compound, Mithapur, P.S. Jakkanpur, Town and District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Municipal Commissioner, Patna Municipal Corporation, Patna.
3. The Executive Officer, Patna Municipal Corporation, Patna City Circle, Patna.
4. The District Magistrate cum Collector, Patna.
5. Karnail Singh, Son of Late Charan Singh, M/S New Azad Body Builders and M/s Sukhmani Motors Pvt. Ltd. NH-30, Zero Mile Pahari, P.S.-Ram Krishna Nagar, District-Patna.
6. Sri B. Govindrajan, CEO, Royal Enfield India, 96, Sector-32, Gurgaon-122001 (Haryana).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. A.B. Sinha, Advocate Mr. Navin Kumar Singh, Advocate
For the Respondent/s	:	Mrs. Kalpana, AC to GA-8
For the P.M.C.	:	Mr. Sanjay Prakash Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner, State as also learned counsel appearing on behalf of the Patna Municipal Corporation.

2. The present writ application has been preferred for the following relief:

“(i) For issuance of a writ in the nature of



mandamus directing the Respondent No.2 to dispose of the representation dated 08.01.2024 (Annexure-P-2) filed by the petitioners for holding an enquiry and proper measurement whether the building situated over the land appertaining to Thana No.15, Khata No. 116, 111, 112, 115, Khesra No. 261, 262, 263 & 264 situated at Mauza- Pahari, P.S.-Patna City, District-Patna is in violation of the provisions of Bihar Municipal Act, 2007 & Bihar Building Bye-Laws, 2014 in the facts and circumstances of this case.

(ii) For issuance of writ in the nature of mandamus directing the Respondent No.2 to proceed for demolition of unauthorized construction of the building if the unauthorized construction is found in the facts and circumstances of this case.

(iii) For issuance of a writ in the nature of mandamus directing other writ(s)/ direction(s)/ order(s) as your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. Instead of keeping the case pending, it would be appropriate that a direction be issued in the matter.

4. The respondent No. 2 (The Municipal Commissioner, Patna Municipal Corporation, Patna) will take



up the representation of the petitioner (Annexure-P-2) and after putting all the concerned parties on notice, decide the same within a period of three months from the receipt of the order of this Court.

5. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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