

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6284 of 2020**

Uttam Raj Devi (since dead and substituted by legal representative, namely, Poonam Kumari, vide order dated 18.12.2024 passed in I.A. No.2 of 2021)Wife of Late Rajendra Singh Resident of Mohalla- Vikash Colony, C/o- Yashwant Kumar Singh, Near Devi Asthan, Gewal Bigha, Police Station- Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Divisional Commissioner, Magadh Division, Gaya.
2. The District Magistrate Gaya.
3. Municipal Commissioner Gaya Municipal Corporation, Gaya.
4. Assistant Engineer Gaya Municipal Corporation, Gaya.
5. Junior Engineer Gaya Municipal Corporation, Gaya.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                                      |
|----------------------|---|--------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Manish Kumar No.2, Advocate                                                      |
| For GMC              | : | Mr. Rabindra Kumar, Advocate<br>Mrs. Priyanshi, Advocate<br>Mr. Gajendra Kumar Singh |
| For the State        | : | Mr. Ravish Chandra, AC to SC-6                                                       |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      18-12-2024

**I.A. No.02 of 2021**

The present interlocutory application has been filed for substituting the legal heirs of the deceased-petitioner, who is stated to have died on 10.11.2021, leaving behind her sole daughter, namely, Poonam Kumari, wife of Shailendra Kumar Singh.

2. The present petition being formal in nature, is not opposed, hence is allowed.

3. The registry is directed to implead the legal heir of



the deceased-petitioner in her place, details whereof have been mentioned in paragraph no.4 of the present petition.

**CWJC No.6284 of 2020**

4. Though the present writ petition has been filed for quashing the order dated 22.02.2020, passed by the Municipal Commissioner, Gaya Municipal Corporation, Gaya whereby and whereunder the petitioner has been directed to remove the encroachment from her house, however, at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Bihar Building Tribunal, Patna, by filing appropriate appeal, challenging the aforesaid order dated 22.02.2020. Liberty so sought is granted.

5. The writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

kanchan/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

