

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5614 of 2023**

=====

Upendra Kumar Singh Son of Sri Indra Deo Singh, resident of Village - Turki,  
P.S. - Dinara, District – Rohtas. ... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Rohtas at Sasaram.
2. The Collector-cum-District Magistrate, Rohtas at Sasaram.
3. Nagar Panchayat, Kochas through its Executive Officer.
4. The Executive Officer, Nagar Panchayat, Kochas.

... .. Respondent/s

=====

**Appearance :**

|                                   |   |                                                           |
|-----------------------------------|---|-----------------------------------------------------------|
| For the Petitioner/s              | : | Mr.Saroj Kumar, Advocate                                  |
| For the Respondent/s              | : | Mr.Kinkar Kumar (Sc9)                                     |
| For the Nagar Panchayat<br>Kochas | : | Mr. Amarnath Singh, Advocate<br>Mr. Ashok Kumar, Advocate |

=====

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL JUDGMENT**

**Date : 15-01-2024**

Heard Mr. Saroj Kumar, learned counsel appearing  
on behalf of the petitioner; Mr. Kinkar Kumar, learned SC 9 for  
the State and Mr. Amarnath Singh and Mr. Ashok Kumar,  
learned counsels for the Nagar Panchayat Kochas.

2. The Executive Officer, Nagar Panchayat, Kochas  
is directed to visit the site or before that she can ask any of the  
notified architect to measure the site and the building and  
prepare a map based on the structure which is already existing,  
without being influenced either by the Executive Officer or by  
the petitioner, for which the required fees, cost etc. will be paid  
by the petitioner. The said exercise is directed to be conducted  
within a period of two weeks from the date of passing of this



order. Thereafter, the Executive Officer will proceed to take corrective action in accordance with law and in case she finds that still any part of the building is required to be demolished, the same should first be informed to the petitioner, so that petitioner can take appropriate steps. In case, required part of the building has been demolished then in that case, she must ensure to accept the compounding fees which the petitioner is required to pay to the Nagar Panchyat, based on the correct map furnished by the architect in case of any permissible deviation.

3. The Executive Officer is present in the Court. She informs that she understands the duty which has to be performed by a public officer and she, being one, will ensure that petitioner is not harassed in any manner and will also cooperate with the petitioner, if he is faced with any difficulty. The petitioner must not refrain from cooperating with the Executive Officer.

4. With aforesaid observation and direction, the present writ petition stands disposed of.

Sanjay/-

(Purnendu Singh, J)

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 15.01.2024 |
| Transmission Date | NA         |

