

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7753 of 2015

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Mahachandra Oprasad Singh son of late Rangī Singh, resident of Flat No.12,
Veer Chand Patel Path, District- Patna- 800001.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Building Construction Department, Govt. of Bihar, Patna.
3. Bhu- Sampada Padadhikari, Building Construction Department, Government of Bihar, Patna.
4. The Executive Engineer, Patliputra Bhawan Division, Patna.
5. The Secretary, Bihar Legislative Council Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Lakshmi Kant Sharma, Advocate
For the BLC	:	Mr.Kaushal Kr. Jha, Advocate
		Mr.Aditya Prakash Sahay, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-08-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this is an application for issuance of an appropriate writ/writs, order/orders, direction/directions for quashing the letter no.3237 dated 25.3.2015 issued under the signature of the respondent no.3, whereby and whereunder the respondent no.3 has requested the petitioner to vacate the residential unit no.12 which was allotted to the petitioner under the capacity of holding the post of Minister and since the petitioner is no more Minister thus the allotted residential unit has been



directed to be vacated within a period of 30 days.
The petitioner further seeks Hon'ble Court's indulgence, for commanding the respondent authorities not to disturb the allotment made to the petitioner as residential unit no.12 is meant for Member of the Legislative Council and petitioner is still is a Member of the Legislative Council and moreover, at the time of holding of ministerial post, residential unit/quarter no.39 was allotted to him and at the relevant time the said quarter was occupied by other Member of the Legislative Assembly/Council, thus the petitioner had chosen to continue in residential unit no.12, allotted to him in the capacity of Member of Legislative Council, hence the ground mentioned in the order aforesaid is contrary to the existing facts."

2. At the outset, the learned counsel for the respondent-State submits that the present writ petition has been rendered infructuous with the passage of time, inasmuch as the petitioner is no longer a minister, much less MLA/MLC.

3. In view of the aforesaid, nothing survives for consideration in the present writ petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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