

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10782 of 2024

Sanjay Kumar Late Ved Prakash R/o Flat No.B 66, Narmada Apartment
Exhibition Road P.S.- Gandhi Maidan Dist Patna-800001

... .. Petitioner/s

Versus

1. The State of Bihar represented through its Chief Secretary, Old Secretariat Building, Patna.
2. Commissioner, Patna Municipal Corporation, Maurya Lok Patna-800001
3. Deputy Commissioner, Patna Municipal Corporation, Maurya Lok Patna-800001
4. Vigilance Officer, Patna Municipal Corporation, Maurya Lok Patna-800001
5. District Magistrate, Patna.
6. Senior Superintendent of Police, Patna.
7. Officer in Charge, Gandhi Maidan, P.S.-East Side of Gandhi Maidan, Dist -Patna-800001
8. Director General, Fire Brigade Service, Bihar, Chaajju Bagh, Lodipur, Patna-800001.
9. Owner of Target Girls Cottage Building Situated at Opposite to J.D. Tower, near the Street of Ashiyana Chamber, Ward No.-28, Exhibition Road, P.S.- Gandhi Maidan, Dist.-Patna-800001.
10. Raj Kumar Gupta, Owner of One Under Construction Multi Storey Building Situated at the Side of Target Girls' Cottage Building Situated at Opposite to J.D. Tower, near the Street of Ashiyana Chamber, Ward No.-28, Exhibition Road, P.S.-Gandhi Maidan, Dist.-Patna-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate
For the Respondent/s : Mr. Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 25-07-2024 The petitioner is before us seeking for removal of an encroachment on the ground that the Patna Municipal Corporation has not permitted the constructions.

2. The Patna Municipal Corporation has already been



notified and it is for them to look at whether there is any violation of the Building Rules in the construction. We also notice that the Annexure-I/2 is filed only on 18.05.2024 and immediately the petitioner has approached this Court for mandamus. We do not think there is any Public Interest Litigation in the above matter and in any event if there is complaint of encroachment, the petitioner has to avail the remedy under the Bihar Public Land Encroachment Act, 1956.

3. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Harsh/-

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