

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11956 of 2023

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Sayed Zafar Abbas S/o Late Sayed Shabbir Hasan, R/o Mohalla- Mehdi hasan
Chowk, Police Station- Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Bihar, Patna.
2. The Commissioner, Tirhut Range, Muzaffarpur.
3. The Mayor, Municipal Corporation, Muzaffarpur.
4. The Municipal Commissioner, Municipal Corporation, Muzaffarpur.
5. The Collector Cum District Magistrate, Muzaffarpur.
6. The Project Manager, Smart City, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Respondent/s : Mr. Subhash Pd. Singh, G.A.-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2024 Heard the parties.

2. The present petition has been preferred for the
following reliefs:-

*(i) for directing and commanding the
respondent authorities to not construct any
construction work of water treatment service plant
in the land of the petitioner bearing old Khata No.-
797, old Khesara No.- 2775 carving out New
Khata No.- 975, Khesra No. 867, Rakba- 1.2060
hec., is situated at Brahampura, P.S- Brahampura,
District- Muzaffarpur, during pendency of Title*



Suit No.- 728/2017 pending before learned Sub-Judge, 9th, West, Muzaffarpur;

(ii) for further direction to the respondent authorities to remove the illegal construction of any work which has already been done in the abovementioned land of the petitioner with immediate effect;

(iii) for further direction to the respondent authorities to follow the due process of land acquisition for construction of any work of public welfare scheme in the abovementioned plot;

(iv) for further direction to the respondent authorities to pay the compensation to the petitioner for illegal construction of water treatment service plant in the abovementioned land of the petitioner;

(v) for further direction to the respondent authorities to disposed of the representation of the petitioner within time framed;

(vi) for further direction to the respondent authorities to stay the any construction work in the abovementioned land during pendency



of this writ application.

3. Learned Counsel for the petitioner submits that he has already approached the concerned Court for the said relief.

4. In that view of the matter, it would be appropriate that the petitioner avail the remedy before the Title Court.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

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