

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15868 of 2023

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Kamlesh Prasad Son of Late Bharat Prasad Resident of Bhawar Pokhar, P.S.-
Pirbahore, District-Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Additional Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
4. Patna Municipal Corporation through its Administrator, Patna. Bihar.
5. The Administrator, Patna Municipal Corporation, Patna, Bihar.
6. The Municipal Commissioner, Patna Municipal Corporation, Patna, Bihar.
7. The Executive Officer, Bankipur Circle Patna Municipal Corporation, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vivekanand Vivek, Advocate Mr. Rang Nath Pandey, Advocate Mr. Chandra Kishore Kumar, Advocate
For the State	:	Mr. Kinkar Kumar (SC9) Mr. Ashutosh Kumar Upadhyaya, AC to SC-9
For the PMC	:	Mr. Sanjay Prakash Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 23-07-2024 Heard Mr. Vivekanand Vivek, learned counsel for

the petitioner and Mr. Sanjay Prakash Verma, learned counsel

for the Patna Municipal Corporation as also Mr. Ashutosh Kumar

Upadhyaya, AC to SC-9.

2. The present petition has been preferred for quashing the directions contained in letter no. 2875 dated 25.09.2023 issued by Respondent no.7, which was served to the petitioner on 30.09.2023 asking him inter alia to adduce proof/certificate of allocation of the respective quarter of Patna Municipal Corporation in which he is residing within three (3)



days and if he is residing in unauthorized manner without allocation in the quarter of Patna Municipal Corporation and further to vacate the same within seven (7) days otherwise residence allowance, other fees and fine shall be collected from him under Municipal Act.

3. At the outset, learned counsel for the Patna Municipal Corporation submits that pursuant to the notice, the petitioner rushed to the Court, the hearing is going on where the petitioner will have all the opportunities before an appropriate order is passed.

4. Learned counsel for the petitioner submits that he will be co-operating in the proceeding that has been taken up by the Patna Municipal Corporation.

5. As the proceeding has been initiated in the matter and the same is pending before the Patna Municipal Corporation, it would be appropriate that they take a decision in accordance with law.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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