

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17635 of 2023

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Satyendra Kumar @ Satyendra Prasad Son of Late Keshav Rai, R/o West Lohanipur, Kathpul, P.S. Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. The Commissioner, Patna Municipal Corporation, Patna.
3. The Executive Officer, Bankiure Circle, Patna Municipal Corporation, Patna.
4. The Director Town Planning, Patna Municipal Corporation, Patna.
5. The Deputy Collector Land Reforms, Patna Sadar, Patna.
6. To the Circle Officer, Patna Sadar, Patna.
7. The SHO, P.S.- Kadamkuan, District- Patna.
8. Saurabh Singh, S/o Nand Kishor Singh, R/o Plot no. 108, Mohalla- Lohanipur, P.S.- Kadamkuan, District- Patna.
9. Arun Singh, S/o Late Rameswar Prasad Singh, R/o Plot no. 108, Mohalla- Lohanipur, P.S.- Kadamkuan, District- Patna.
10. Chhotan Singh, S/o Late Kameshwar Prasad Singh, R/o Plot no. 108, Mohalla- Lohanipur, P.S.- Kadamkuan, District- Patna.
11. Ashish Kumar Singh, S/o Late Rameswar Prasad Singh, R/o Plot no. 108, Mohalla- Lohanipur, P.S.- Kadamkuan, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jamaluddin Ahmad Khan, Advocate
For the Respondent	:	Mr. K.P. Gupta, GP-10
		Mr. Satyavrat, AC to GP-10
For the P.M.C.	:	Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-07-2024

Heard the parties.

2. This writ application is being filed for the issuance of writ of mandamus commanding the respondent no. 2 to dispose of the Vigilance Cases no. 05/22, 06/22 and 07/22 instituted pursuant to the direction of the Court vide order dated 07.09.22 in C.W.J.C. NO. 5002/21, which was filed by this petitioner for demarcation and removal of the encroachment



from government land.

AND, for the issuance of writ of mandamus commanding the respondent no. 2 to 7 to forthwith stop the ongoing construction, which is continuing in violation of the order of restrain passed in above referred vigilance cases.

AND, for the issuance of appropriate order or orders, direction or directions imposing appropriate punishment for their willful violation of the order of Municipal Commissioner, Patna, and allowing the illegal construction to go on.

AND, for issuance of appropriate Order or Orders, Direction or Directions for which the petitioner may be found entitled to.

3. Learned counsel for the petitioner submits that a perusal of the petition would show that the Vigilance Case Nos. 05/2022, 06/2022 and 07/2022 which were preferred pursuant to the direction of the High Court in C.W.J.C. NO. 5002/2021 have remained pending for last two years.

4. A counter affidavit of the Patna Municipal Corporation has come and Annexure-4 that notices have been issued to the land owners in this regard.

5. From the perusal of the notice, it seems that all dates back to the year 2022. What happened thereafter is not clear.



6. In that background, the writ petition stands disposed of directing the Patna Municipal Corporation (the respondent no.2) to take up the matter and after hearing all the necessary parties and perusing the records, disposed of the said vigilance cases at an earliest and not beyond 31st December, 2024.

7. The Municipal Commissioner, Patna Municipal Corporation shall take appropriate steps on the interim prayer put forward by the petitioner during the pendency of this application.

(Rajiv Roy, J)

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