

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12157 of 2017

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Amitesh son of Shri Balmiki Prasad Sharma, resident of B- 24, Biscomaun Colony, Gulzarbagh, Police Station- Alamganj, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
3. The Commissioner, Patna Municipal Corporation, Patna.
4. The Joint Commissioner, Patna Municipal Corporation, Patna.
5. The Executive Officer, New Capital Division, Patna Municipal Corporation, Patna.
6. The Superintendent of Police Traffic, Patna.
7. The Officer-in-charge, Sachivalaya Police Station, Patna.
8. The Divisional Forest Officer, Patna Forest Division, Department of Environment and Forest, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Madhu Prasun, Advocate
For the Respondent/s : Mr.Shankar Karna, Ac to Aag7

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 25-07-2025

1. The Writ petition is filed for the following
reliefs:-

“(I) For issuance of appropriate writ/writs, order/orders, direction/directions commanding the respondents to issue “Parwana” in favour of the petitioner to realize parking charge against parking of vehicles at gate No. 1



and 2 near ECO Park, Patna in place of Gate No. 2 and 3 as there is no place of the Respondents No. 1 to 5 at Gate No. 3 and at the said place the Forest Department is realizing parking charge but "Parwana" for realizing parking charge at Gate No. 2 and 3 was issued by the concerned Respondents against payment of Rs. 10,66,050/- (inclusive of tax) by the petitioner in a very illegal way.

(II) For issuance of appropriate writ/writs, order/orders, direction/directions commanding the concerned respondents to return the proportionate amount to the petitioner as he never had opportunity to realize the parking charge at Gate No. 3 as the said place does not belong to the concerned respondents inspite the concerned respondents against payment of the said fee issued "Parwana" in favour of the petitioner for realization of the same.

(III) For issuance of appropriate writ/writs, order/orders, direction/directions commanding the concerned respondents to pay to the petitioner the consequential loss, which occurred for the aforesaid reasons and for the reasons



that "Parwana" in favour of the petitioner has also been issued with delay.

(IV) For issuance of appropriate order/orders, direction/directions commanding the concerned respondents especially Respondents No. 6 and 7 to ensure that vehicles at Gate No. 1 be not parked causing Traffic Jam especially in view of the fact that the said area is not marked as parking are by the Patna Municipal Corporation.

(V) The other substantial questions of law will be by way of submissions to this Hon'ble Court."

2. During the course of arguments, the Learned counsel for the petitioner contended that all the prayer of the Writ petition have become infructuous except prayer no. 2.

3. The Learned counsel for the respondents contended that so far as prayer no. 2 is concerned, the petitioner's representation is pending before the Patna Municipal Corporation and direction may be given to Patna Municipal Corporation i.e. 3rd respondent to pass appropriate order on the representation (Annexure-4) filed by the petitioner which is already pending.



4. Having regard to the above made submissions, without going into the merits or demerits of the case, the Writ petition is disposed of directing the Patna Municipal Corporation to pass appropriate order on merits of the case on the representation filed by the petitioner within three months from the date of receipt of this order.

5. It is needless to mention that before passing any order, the authority concerned shall consider all the relevant documents filed by the petitioner and shall give a fair opportunity of hearing to the petitioner. Any order passed shall be communicated to the petitioner.

6. With the aforesaid observation, the Writ petition is disposed of.

7. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.07.2025.
Transmission Date	N/A

