

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4810 of 2026

Amresh Kumar Son of Jawahar Singh, Resident of Village- Laxmipur,
Balbhadarpur, P.S. - Laheriasarai, District- Darbhanga (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Darbhanga Municipal Corporation through the Commissioner, Darbhanga Municipal Corporation, Darbhanga.
4. The Commissioner, Darbhanga Municipal Corporation, Darbhanga.
5. The Bihar Rajya Pul Nirman, Nigam Ltd., through its Chairman, Sardar Patel Marg, Patna.
6. The Chairman, Bihar Rajya Pul Nirman Nigam, Sardar Patel Marg, Patna.
7. The District Magistrate, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar, Advocate Mr. Pranav Kumar, Advocate
For the Respondent/s	:	Government Pleader (23) Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 06-04-2026 1. Heard learned counsel for the petitioner and
learned counsel for the respondents.
2. The petitioner has filed the instant application
for the following reliefs:

“i) For issuance of an appropriate writ in the nature of Certiorari quashing the decision taken in the meeting dated 04.02.2025 under the chairmanship of the Municipal Commissioner, Darbhanga, whereby it has been decided to construct municipal shops over the existing



drainage channel which is the only channel being used by local residents including the petitioner.

(ii) For issuance of an appropriate writ, order or direction in the nature of Mandamus commanding the respondents not to proceed with construction of shops or any permanent structure over the existing municipal drain situated adjacent to the petitioner's property at Mohalla- Balbhadrapur, P.S.- Laheriasarai, District- Darbhanga.

(iii) For issuance of an appropriate writ, order or direction in the nature of Mandamus directing the respondents to maintain and preserve the existing municipal drainage channel and ensure that the drainage capacity and natural flow of water is not obstructed, reduced or altered by any construction activity.

(iv) For issuance of an appropriate writ in the nature of Certiorari for quashing any administrative decision, plan, approval or action whereby the respondents have proposed or permitted construction of shops over or immediately above the said municipal drain.

(v) For issuance of an appropriate direction upon the respondents to conduct a proper survey and technical inspection and prepare a scientific drainage plan before undertaking any construction activity in the locality.

(vi) For issuance of any other writ, order or direction which this Hon'ble Court may deem fit



and proper in the facts and circumstances of the case.”

3. Having heard learned counsel for the parties and having perused the contents of the petition, it transpires from the reliefs prayed for herein that the petitioner has filed representation before the respondent District Magistrate which have been brought on record as Annexures-5, 6 and 7 to the writ application.

4. Having perused the materials on record, the writ application is disposed of directing the petitioner to file a fresh representation before the Municipal Commissioner, Darbhanga (respondent no.4) and the District Magistrate, Darbhanga (respondent no.7) within a period of four weeks.

5. The respondents shall consider the issues raised by the petitioner in his representation and decide the same in accordance with law within a period of two months from the date of its filing.

6. The order passed on the representation shall be communicated to the petitioner immediately on its disposal.

7. The writ application stands disposed of.

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(Partha Sarthy, J)

