

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7543 of 2026

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1. Sujata Singh Wife of Late Nand Kishore Singh, Resident of Flat No- 301, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna-801503.
 2. Uma Shankar Prasad Son of Sita Ram Prasad Singh, Resident of flat No-104, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna-801503.
 3. Amit Kumar Sinha Son of Late Devendra Prasad, Resident of Kumar Press Malahachak, P.S.-Jehanabad, District- Jehanabad-804408, Presently Residing at Flat-103, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna-801503.
 4. Sanjay Kumar Son of Brij Bihari Rai, Resident of Flat No-94, Father's Bagicha Ramji Chak, Bata Ganj, P.S.- Digha, Presently resident of Flat-302 Dharmsilla Nandan Enclave Apartment Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna-801503.
 5. Avnish Kumar Son of Ashok Kumar Singh, Resident of Majhalia Estate Sitamarhi, District- Sitamarhi-843322, Presently Residing at Flat-304, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna-801503.
 6. Rajesh Kumar Son of Ramakant Pandey, Resident of Ramchandrapur in front of Hawakhana, Juridih, Semaria, Deoghar, harkhand-814142, Presently residing at Flat-102, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna- 801503

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Director, Urban Local Bodies, Urban Development and Housing Department, Govt. of Bihar, Patna.
3. The Commissioner, Patna.
4. The Additional Collector, Law and Order, District-Patna
5. The Executive Engineer, Patliputra, Division, Patna Municipal Corporation, Patna.
6. The Executive Officer-cum- Administration, Nagar Parisad, Danapur, Nizamat Danapur, District-Patna.
7. The Assistant Engineer Nagar Parisad, Danapur Nizamat Danapur, Patna.
8. The Assistant Engineer Bhusanpda Sakha, Patna Municipal Corporation, Patna.
9. Rakesh Kumar @ Rakesh Kumar Nandan Son of Brij Nandan Prasad, Resident of Flat-201, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna- 801503.
10. Mukesh Kumar @ Mukesh Kumar Nandan, Son of Brij Nandan Prasad, Resident of Flat-401, Dharmsilla Nandan Enclave, Near Arya Samaj Mandir, R.P.S. More, P.S.- Danapur, Patna- 801503.



11. Sri Rakesh Chandra Malhotra Son of Late B.R. Malhotra, Resident of Flat-45, Ganga Tower, L.C.T. Ghat, Mainpura, P.S.- Patliputra Town, District-Patna-800001.
12. Vineet Homes Private Limited (LIN No W45200BR2004PTC010565) Reged. Office A-90, Road No-5, Magistrate Colony, Ashiana Nagar, P.S.- Rajiv Nagar, District-Patna-800025 through its Director Rakesh Chandra Malhotra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shivajee Singh, Adv.
For the Respondent/s	:	Mr. Maday Pd. Yadav, GP- 23
For the PMC	:	Mr. Prasoon Sinha, Adv.
Danapur Nagar Parishad	:	Mr. Ashok Kumar, Adv. Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioners and

learned counsel for the respondents.

2. In this writ application, the petitioner has prayed
for following reliefs;

“That this is an application for issuance of appropriate writ order or directions for enforcing the order dated 10.03.2026 passed by Executive Officer, Nagar Parishad, Danapur Nizamat in miscellaneous case No. 01 of 2026 by which Respondent No. 6 (Executive Officer, Nagar Parishad Danapur) has passed altogether seven orders directing the opposite parties to comply the order within thirty days otherwise illegal construction will be demolished at their own cost and further a direction is required to be issued to respondents to demolished the illegal constructions which has been found earlier, for which Executive officer Danapur Nagar Parisad had issued



letter No. 332 dated 03.02.2023 to Additional District Magistrate law and order, Patna (Respondent No.4) to deploy the police force (Ladies and Gents) for removal of illegal construction in the apartment in deviating the approved map of the building, which the Executive Officer Danapur Nagar Parishad wants to condone the deviation in accordance with Bihar Municipal Act, 2007 and further to pass any other order or orders for which the petitioners found entitled.”

3. The petitioners happen to be the purchasers of residential flats in Dharmsheela Nandan Enclave Apartment which was constructed by M/s Vineet Homes Pvt. Ltd on the lands of Brij Nandan Prasad, Srimati Dharmsheela Devi, Rakesh Kumar and Mukesh Kumar according to the development agreement dated 22.06.2026.

4. From perusal of the records, it transpires that the petitioners are aggrieved by the illegal construction made by the M/s Vineet Homes Pvt. Ltd (Construction Company) in this society where these petitioners are the occupants in collusion with the land owners and the M/s Vineet Homes Pvt. Ltd is registered under the Real Estate Regulatory Authority Bihar (RERA) and the project in question has also been registered vide registration No. BRERAP00025-1/66/R-48/2018 by the RERA. From perusal of the prayer made in this writ



application, it also transpires that the petitioners are seeking enforcement of order passed by the Executive Officer, Nagar Parishad Danapur Nizaman in Miscellaneous Case No. 01 of 2026.

5. Taking into consideration the fact and the nature of dispute which relates to real estate, as raised in this writ application and also the prayer seeking enforcement of order of the Executive Officer, Nagar Parishad Danapur Nizamat, this Court does not find any reason to interfere with the matter in exercise of powers conferred under Article 226 of the Constitution of India. Therefore, it would be appropriate to dispose of the writ application with liberty to the petitioners to raise the grievance before the competent authority, if so advised.

6. Accordingly, this writ application is disposed of with the aforesaid liberty.

(Girijish Kumar, J)

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