

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6908 of 2026

Sri Rama Nand Singh Yadav Son of Late Bujhavan Rai, Resident of House No. 01, Gate No. 83, Bujurg Digha, Kurji, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Under Kotwali P.S., Distt- Patna.
3. Additional Municipal Commissioner, Enforcement, Patna Municipal Corporation, Maurya Lok Complex, Under Kotwali P.S., Distt- Patna.
4. Director, Urban Planning, Urban Development and Housing Department, Govt. of Bihar, Patna.
5. Vigilance Officer, Patna Municipal Corporation, Maurya Lok Complex, Under Kotwali P.S., Distt- Patna.
6. The Executive Officer, Nutan Rajdhani Pramandal, (Uttari), Patna Municipal Corporation.
7. The Executive Officer, Patliputra Anchal, Patna Municipal Corporation.
8. The Executive Officer, Bankipore, Patna Municipal Corporation.
9. The Executive Engineer, Patliputra Pramandal, Patna Municipal Corporation.
10. The Executive Engineer, Patna City Pramandal, Patna Municipal Corporation.
11. The Executive Engineer, Nutan Rajdhani Pramandal, Patna Municipal Corporation.
12. The Executive Officer, Water Supply, Patna Municipal Corporation.
13. The Executive Engineer, Water Supply, Patna Municipal Corporation.
14. Executive Engineer, Electric Mukhyalaya, J.N Marg, Veerchand Patel Road Area, P.S-Kotwali, Distt.-Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar Singh, Advocate
For the State	:	Mr. Standing Counsel (22)
For the PMC	:	Mr. Prasoon Sinha, Sr. Advocate
		Mr. Prabhat Kumar, Advocate



CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 08-05-2026 Heard Mr. Binay Kumar Singh, learned counsel for the petitioner and Mr. Prasoon Sinha, learned Senior Counsel for the Patna Municipal Corporation.

2. The petitioner has filed the instant application for the following reliefs :-

“(i) For quashing the letter contained in Letter no-6779 dated 18.04.2026 issued by Respondent No. 2 directing compliance of demolition order dated 14.01.2023, and

(ii) For further quashing the order dated 22.04.2026 constituting a team for marking and demolition,

(iii) and for further direction to stay coercive action during pendency of statutory appeal.”

3. The case of the petitioner is that the Patna Municipal Corporation proceeded in Vigilance Case no.247A of 2015 (Patna Municipal Corporation vs. Sri Ramanand Yadav) against the petitioner wherein order dated 14.1.2023 came to be passed by the Municipal Commissioner, Patna Municipal Corporation.

4. The petitioner has preferred an appeal before the Municipal Building Tribunal, Patna which has been registered as M.B.T. Appeal no.7(N) of 2023. The Tribunal not being



functional, the petitioner has no alternate and efficacious remedy of moving there for the interim relief against the coercive steps proposed to be taken by the Corporation. As such the instant writ application.

5. It is stated at the Bar that the Municipal Building Tribunal, Patna is not functional in view of the absence of the members.

6. Mr. Prasoon Sinha, learned Senior Counsel appearing for the Patna Municipal Corporation submits that the Tribunal is expected to become functional soon.

7. In view of the facts and circumstances of the case, the writ application is disposed of with the following observations and directions :-

(i) The M.B.T. Appeal no.7(N) of 2023 (Sri Rama Nand Singh Yadav vs. Patna Municipal Corporation and Ors.) shall be decided by the Municipal Building Tribunal, Patna at the earliest.

(ii) The petitioner will be at liberty to file an application for stay of coercive steps being taken by the authorities of the Patna Municipal Corporation pursuant to the order dated 14.1.2023 passed in Vigilance Case no.247A of 2015 (Patna



Municipal Corporation vs. Sri Ramanand Yadav).

(iii) No coercive steps shall be taken against the petitioner starting today for a period of three months after the Municipal Building Tribunal, Patna becomes functional or the petition for stay, if filed by the petitioner, is decided, whichever is later.

(Partha Sarthy, J)

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