

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6669 of 2026

Magadh Homes through its one of Partner Shashank Shekher Prasad S/o Sri Jagdish Prasad Resident of Flat No. - 401, 4H/36 Bahadurpur Housing Colony, Bhoothnath Ashram Road, P.S. Agam Kuan, District- Patna - 800026.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar.
2. The Divisional Commissioner, Patna.
3. The District Magistrate, Patna.
4. The Patna Municipal Corporation Through the Municipal Commissioner, Maurya Lok, P.S- Kotwali, Patna.
5. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, P.S- Kotwali, Patna.
6. The Director, Urban Scheme, Urban Development and Housing Department, Govt. of Bihar.
7. The Executive Officer, Patliputra Anchal, Patna Municipal Corporation, Patna.
8. The Executive Officer, Bakipur Anchal, Patna Municipal Corporation, Patna.
9. The Executive Officer, Nutan Rajdhani Anchal, Patna Municipal Corporation, Patna.
10. The Executive Engineer, Electric Supply Division, Electricity Headquarters, Patna.
11. The Executive Engineer, Electric Supply Division, Patliputra Division. Patna.
12. The Executive Engineer, Electric Supply Division, Patna City Division. Patna.
13. The Executive Engineer, Electric Supply Division, Nutan Rajdhani Division. Patna.
14. The Senior Superintendent of Police, Patna.
15. The Station House Officer, Patliputra Police Station, Patna.
16. The Station House Officer, Budha Colony Police Station, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jai Ram Singh, Advocate Mr. Keshab Raj, Advocate
For the State	:	Mr. Pankan Kumar, SC- 12 Mr. Kamlesh Kishore, AC to SC- 12
For the PMC	:	Mr. Prasoon Sinha, Sr. Advocate Mr. Prabhat Kumar, Advocate



CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-05-2026 Heard Mr. Jai Ram 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 the issuance of writ in the nature of Mandamus for directing the Learned Municipal Commissioner, Patna Municipal Corporation to keep Letter no-7066 dated 22.04.2026 in abeyance till final disposal of the appeal pending before the Court of Ld. Municipal Building Tribunal-I; bearing Appeal No:- 18 of 2014; which is filed against the order dt-03.12.2013 passed by the Ld. Municipal Commissioner, Patna Municipal Corporation in Vigilance Case No- 22B/2012.

ii. For the issuance of writ in the nature of Mandamus for directing the Respondent Authorities not to take any coercive action against the petitioner and the concerned building till final disposal of the appeal pending before the Court of Ld. Municipal Building Tribunal-I; bearing Appeal No: - 18/2014.

iii. For the issuance of writ in the nature of Mandamus for directing the Respondent No-1 to appoint the Ld. Chairman in the Court of Ld. Municipal Building Tribunal-I which is vacant since March, 2026 due to



which the Appeal is pending for adjudication.

*iv. For grant of any relief/reliefs,
which is fit and proper for the petitioner.”*

3. It is submitted by learned counsel for the petitioner that Vigilance Case no.22B of 2012 (Patna Municipal Corporation vs. Royal Residency) was initiated against the petitioner by the Patna Municipal Corporation wherein order dated 3.12.2013 was passed. The petitioner has preferred an appeal bearing Appeal Case no.18 of 2014 which is pending before the Municipal Building Tribunal, Patna however the Tribunal is not functional as per the last instructions received.

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

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

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

(i) The Appeal Case no.18 of 2014
(Magadh Homes 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 3.12.2013 passed in Vigilance Case no.22B of 2012 (Patna Municipal Corporation vs. Royal Residency).

(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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