

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6747 of 2026

Alankar Auto Sales and Service Private Limited through its director Ashok Priyadarshee, aged about 54 years, Male, S/o Shri. Wng Commander Narendra Kumar, resident of Flat No. 506 Durga Marine Drive, Ashok Rajpath Road, Near Dujra Devi Sthan, Dujra Rajapur, Post- GPO, PS- Buddha Colony, District-Patna, Bihar-800001

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation through its Commissioner, Patna, Bihar
2. The Commissioner, Patna Municipal Corporation, Patna, Bihar
3. The Vigilance Officer, Patna Municipal Corporation, Patna, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Kumar Verma, Sr. Advocate Mr. Rohan Verma, Advocate
For the P.M.C	:	Mr. Prasoon Sinha, Sr. Advocate Mr. Prabhat Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-05-2026 Heard Mr. Rajiv Kumar Verma, learned Senior 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 :-

“1. i. For Quashing of the Order of the Municipal Commissioner, Patna Municipal Corporation, as contained in Letter No. 7050 dated 22-04-2026 issued in connection with Vigilance Case No. 238A/2015 whereby & whereunder direction has been given to demarcate & demolish the alleged illegal construction made in the Northern side of Ganga Embankment, Dujra, Gate No. 17, Alanakar



Auto Motor Service Center, in terms of the Order dated 14-01-2023 passed in Vigilance Case No. 238A/2015.

ii. For necessary direction upon the Respondent authorities to produce the Order dated 14-01-2023 passed by the Municipal Commissioner, Patna Municipal Corporation in Vigilance Case No. 238A/2015 and further for issuance of Writ in the nature of Certiorari for Quashing the same.

iii. For Stay of the Order of the Municipal Commissioner, Patna Municipal Corporation as contained in Letter No. 7050 dated 22-04-2026 in Vigilance Case No. 238A/2015 whereby & whereunder direction has been given to demarcate & demolish the alleged illegal construction made in the Northern side of Ganga Embankment, Dujra, Gate No. 17, Alanakar Auto Motor Service Center, in terms of the Order dated 14-01-2023 passed in Vigilance Case No. 238A/2015.

iv. For any other direction/directions which your Lordships may deem fit & proper in the facts and circumstances of this case.”

3. The case of the petitioner in brief is that the order dated 14.1.2023 having been passed against the petitioner in Vigilance Case no.238A of 2015 (Patna Municipal Corporation vs. Sri. Sadhu Rai, Sri. Tinku Rai and Sri. Ashok Priyadarshi), the petitioner of whom the aforesaid Ashok Priyadarshi is the



Director has preferred Appeal No. 7(N) of 2026, which continues to remain pending before the Municipal Building Tribunal, Patna.

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 no.7(N) of 2026 (Alankar Auto Sales and Service Private Limited vs. Patna Municipal Corporation) 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.238A of 2015 (Patna Municipal Corporation vs. Sri. Sadhu Rai, Sri.



Tinku Rai and Sri. Ashok Priyadarshi).

(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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