

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7087 of 2026

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Jitendra Kumar Singh @ Jitendra Singh S/o Rupnarayan Singh, Resident
3A/24, Near Rajdhani Apartment, Mahesh Nagar, Phulwari, District- Patna,
Bihar 800024.

... .. 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 Senior Superintendent of Police, Patna.
5. The Patna Municipal Corporation Through the Municipal Commissioner, Maurya Lok, P.S- Kotwali, Patna.
6. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, P.S- Kotwali, Patna.
7. The Director, Urban Scheme, Patna Municipal Corporation, District-Patna.
8. The Executive Officer, Patliputra Anchal, Patna Municipal Corporation, Patna.
9. The Executive Officer, Bakipur Anchal, Patna Municipal Corporation, Patna.
10. The Executive Officer, Nutan Rajdhani Anchal, Patna Municipal Corporation, Patna.
11. The Executive Engineer, Electric Supply Division, Electricity Headquarters, Patna.
12. The Executive Engineer, Electric Supply Division, Patliputra Division, Patna.
13. The Executive Engineer, Electric Supply Division, Patna City Division, Patna.
14. The Executive Engineer, Electric Supply Division, Nutan Rajdhani Division, Patna.
15. The Station House Officer, Budha Colony Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Ram Singh, Advocate Mr. Keshab Raj, Advocate
For the State	:	Government Pleader 26
For the P.M.C	:	Mr. Prasoon Sinha, Sr. Advocate Mr. Prabhat Kumar, Advocate
For the SBPDCL	:	Dr. Anand Kumar, Advocate Mr. Rajan Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY



ORAL ORDER

2 11-05-2026 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 :-

“1. i. For the issuance of writ in the nature of Mandamus for directing the Learned Municipal Commissioner, Patna Municipal Corporation to keep Letter no-7064 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:- 13(N) of 2023; which is filed against the order of the Ld. Municipal Commissioner, Patna Municipal Corporation in Vigilance Case No-16B/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: 13(N) of 2023.

iii. For the issuance of writ in the nature of Mandamus for directing the Respondent No-1 to appoint the Ld. Chairman in 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. The case of the petitioner in brief is that the petitioner who happens to be the builder with respect to Badri Villa Apartment, was proceeded against by the Patna Municipal Corporation in Vigilance Case no. 16B of 2012 (Patna Municipal Corporation vs. Jitendra Kumar Singh) wherein order dated 14.1.2023 came to be passed by the Municipal Commissioner, Patna Municipal Corporation against which the petitioner preferred Appeal no.13(N) of 2023 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.13(N) of 2023
(Jitendra Kumar Singh 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.16B of 2012 (Patna Municipal Corporation vs. Jitendra Kumar Singh).

(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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