

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7173 of 2026

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Raj Kishore Singh S/o Bhagirath Singh, R/o- Flat no-401, Bhagirath Residency, Kurjee Pul, Gate no- 79 Hamidpur, Sadaquat Ashram, District-Patna, Bihar, Pin-800010.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation Through the Municipal Commissioner, Maurya Lok, P.S- Kotwali, Dist-Patna.
2. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, P.S-Kotwali, Dist- Patna.
3. The Director, Urban Scheme, Patna Municipal Corporation, Maurya Lok, P.S-Kotwali, Dist-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Ram Singh, Advocate Mr. Keshab Raj, Advocate
For the P.M.C	:	Mr. Prasoon Sinha, Sr. Advocate Mr. Prabhat Kumar, 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-7061 dated 22.04.2026 in abeyance and not to take any coercive action against the petitioner.

ii. For the issuance of writ in the nature of Certiorari for quashing the Order/Letter no- 7061 dated 22.04.2026 by which the building of the petitioner is ordered to be demolish in relation with Vigilance case 249A/2015.



iii. For the issuance of writ in the nature of Certiorari for quashing the order dated-14.01.2023 passed by Ld. Municipal Commissioner, Patna Municipal Corporation, to demolish the entire building, which was passed ex-parte against the petitioner without any valid service of notice or information.

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 Patna Municipal Corporation proceeded against the petitioner in Vigilance case no. 249A of 2015 wherein order dated 14.1.2023 came to be passed against which the petitioner preferred Appeal no.6(N) of 2026 (Raj Kishore Singh @ Rajkishore Singh vs the Patna Municipal Corporation & Ors.) which as per learned counsel for the petitioner 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.6(N) of 2026 (Raj Kishore Singh @ Rajkishore Singh vs. the Patna Municipal Corporation & 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.249A of 2015 (Patna Municipal Corporation vs. Rajkishore 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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