

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.1200 of 1997**

- =====
1. Buxar Municipality through its Special Officer
  2. Sri Shankar Baitha son of Keshwar Baitha, resident of Lalgah Tola Dharampur, PS-Bettiah, District-West Champaran, at present posted as Special Officer, Buxar Municipality, Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The District Consumers Redressal Forum, Buxar.
3. Gopal Sharma resident of Buxar Pirpati Road, PS-Buxar, District-Buxar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s :

For the Respondent/s : M/s Madhukar Krishna Sinha and Sunil Kr. Karn

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 06-02-2015**

Heard learned counsel for the petitioner and learned counsel for the State.

In this case the petitioner is Municipality is challenging the order dated 7<sup>th</sup> August 1995 passed in Case No. 3 of 1995 and orders dated 5<sup>th</sup> February 1996, 23<sup>rd</sup> April 1996 and 31<sup>st</sup> July 1996.

It appears from the record that the Municipality by a general notice, invited the persons who are interested to take shops may deposit Rs. 500/- in its Office, accordingly, Mr. Sharma, Respondent no. 3 deposited the same on 13<sup>th</sup> December 1991 for allotment of the shop and was granted receipt thereof and thereafter, Mr. Sharma was asked to deposit Rs. 5,000/- which was

deposited by him on 26<sup>th</sup> February 1992 but the shop could not be given to Mr. Sharma, for that, he requested for return of the money along with the interest. When he was not obliged by the Municipality, he filed a case in the Consumer Court for return of Rs. 5,500/- along with the interest and the Consumer Court passed the order in his favour.

This Court does not find any error in the order of the Consumer Court.

Accordingly, this petition is dismissed.

**(Shivaji Pandey, J)**

Mahesh/-

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