

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10385 of 2013

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Basanti Devi , Adhyaksha, Nagar Panchayat Barharia, P.S. Barharia,
District Lakhisarai **Petitioner**

Versus

- 1.The State of Bihar
 2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna
 3. The Divisional Commissioner, Munger
 4. The Collector, Lakhisarai
 5. The Executive Officer, Nagar Panchayat, Barharia. **Respondents**
- =====

Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 24-07-2015 At the filing of the writ application, the petitioner was Chairman, Nagar Panchayat, Barharia in the district of Lakhisarai. Initially, the petitioner had challenged memo nos.502 and 503 both dated 3.5.2013.

As the relief sought for with respect to memo no.503 dated 3.5.2013 has become infructuous, the petitioner is permitted to withdraw the said relief.

The petitioner pressed the first relief contained in memo no.502, dated 3.5.2013 by which she has been noticed by the Collector, Lakhisarai at behest of the Divisional Commissioner to show cause as to why the tenders with respect to the settlement of Hat Bazar, Vegetable market and taxi stand should have been kept pending.

The petitioner has challenged the said notice as being without jurisdiction. She submits that under the Scheme of local self government under the Bihar Municipal Act, the exclusive authorities have no right to interfere with day to day business of the Parishad and decision of majority of elected members.

In my view, if the petitioner is still continuing as Chairman, Nagar Parishad, Lakhisari, she should first raise her objections before the Collector, Lakhisarai for his due consideration.

With the aforesaid liberty, this writ application stands disposed of.

(Samarendra Pratap Singh, J)

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