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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14153 of 2013

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Md. Anwarul Haque, Son of late Md. Nijamuddin, R/O Mohalla - Islamnagar, P.O. Araria, P.S. Araria, District - Araria, Correspondent Address, Shop No. 26, Vikash Market, Araria, Town, P.S. Araria, District - Araria

.... Petitioner.

Versus

1. The State of Bihar through the District Magistrate, Araria
2. The Deputy Development Commissioner (D.D.C.) Cum Chief Executive Officer, Zila Parishad, Araria, District - Araria
3. The Chairman of Zila Parishad, Araria, District - Araria

.... Respondents

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Appearance :
For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
For the Respondent/s : Mr. S. Raza Ahmad

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

2 28-07-2015 Heard learned counsel for the Petitioner, State and the Zila Parishad.

2. The petitioner is a physically handicapped. He was allotted shop no. 26 in Vikash Market, Araria Town on the condition to deposit Rs. 80,000/- with respondent no.2. The rent of the shop was fixed as Rs.180/- per month.

3. The petitioner defaulted in payment of rent. There is some dispute whether the default is from 1998 or 1999.

4. As the petitioner had admittedly defaulted, a notice was issued as to why the allotment made in his favour be not cancelled for non-payment of rent.

5. The petitioner filed writ application bearing

C.W.J.C. No. 10038 of 2012, which was disposed of on 02.04.2013, as in course of hearing, he proposed to ventilate his grievance by way of representation before the respondents Zila Parishad.

6. The petitioner submits that he has deposited all the due rent. He further submits that he is not able to pay the interest/fine, as the same has been hiked in an arbitrary manner. For instance, as against the rental due of about Rs.40,000/-, a sum of Rs.3,38,000/- and odd has been demanded as interest.

7. Having regard to the facts of the case, the petitioner is granted liberty to approach respondent no.2, who would consider the grievance of the petitioner with respect to interest/fine within two months from the date of receipt of a copy of this order.

8. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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