

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21856 of 2014

1. Shiv Kumar Singh Son of Late Sudama Singh, resident of village - Mala Post - Gurukul Mehiyan P.S. Chapra Muffasil District - Chapra.

2. Binay Kumar Singh Son of Late Umashankar Singh, Resident of village - Mehiyan Po Gurukul Mehiyan P.S. Chapra Muffasil District - Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.

2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.

3. The Divisional Commissioner, Saran Division, Chapra.

4. The District Magistrate, Chapra.

5. The Joint Secretary, Urban Development and Housing Department Govt. of Bihar, Patna.

6. The Deputy Development Commissioner, Chapra.

7. The Sub-Divisional Officer, Sadar, Chapra.

8. The Executive Officer, Nagar Parishad, Chapra.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Roy and Mr. Gyan Prakash

For the State : Mr. Amaresh Kumar Sinha, AC to GA 9

For Chapra Nagar Parishad : Mr. Rakesh Kumar Tiwary

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 23-02-2015

The Government of Bihar initiated steps for upgradation of Chapra Nagar Parishad to Chapra Nagar Nigam under

the provisions of the Bihar Municipality Act. It is stated that the draft Notification was issued, objections were invited and though the matter is complete in all respect, the final steps were not taken so far.

Heard Sri Rajeev Roy, learned counsel for the petitioner, Sri Amresh Kumar Sinha, learned counsel representing the State and Sri Ashok Kumar Tiwary for Chapra Nagar Parishad.

The upgradation of a Nagar Parishad as a Nagar Nigam is a long-drawn process. A draft Notification has to be issued inviting objections and thereafter the objections have to be considered by the Government. Many a time, the policy of the Government becomes relevant. It is difficult to issue any specific direction in the matter of this nature. However, once the proceeding is initiated under the Act, then a quietus be issued at the earliest.

We, therefore, dispose of the writ petition directing the respondents to complete the process of upgradation of the Chapra Nagar Parishad to Nagar Nigam, at the earliest, preferably within three months from today.

This order shall not be construed as an expression of our opinion as regards the desirability or otherwise of the Nagar Nigam.

(L. Narasimha Reddy,CJ)

(Vikash Jain, J)

mrl

U			
---	--	--	--