

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1551 of 2016

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Imran Khan, son of Abdul Hameed Khan, resident of Mohalla- Purani
Gudri, Ward No.10, P.O. & P.S.- Bettiah Town, District- West Champaran.
..... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
3. The Member, Board of Revenue, Government of Bihar, Patna.
4. That Administrator -cum- Manager, Bettiah Estate, West Champaran.
5. The District Magistrate, Bettiah, West Champaran.
6. The Bettiah Municipal Council, through its Executive Officer, West Champaran.
7. The Executive Officer, Bettiah Municipal Council, West Champaran.
8. Raja Das, son of Kishore Das, resident of Mohalla- Purani Gudri, Harnath School, P.O. & P.S.- Bettiah Town, District- West Champaran.
..... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Adv. with Mr. Ashok Kumar Gupta, Adv.
For the Respondent-State	:	Mr. Satyapal Singh, AC to SC-15
For the Municipality	:	Mr. Dhananjay Kumar-2, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 27-01-2016 A supplementary affidavit is being filed. Let it be kept on record.

Heard Mr. Rajendra Narain, learned senior counsel appearing on behalf of the petitioner, Mr. Dhananjay Kumar No.2 for the Municipality and Mr. Binod Kumar, learned counsel appearing for the Bettiah Raj under Court of Wards.

The grievance of the petitioner is that although Bettiah Nagar Parishad entered into an agreement with the petitioner for operating the parking station at several places including Raj



Deohri mentioned at item 2 of the advertisement placed at Annexure-1, but in so far as the parking station at Raj Deorhi is concerned, it has again being advertised by the Bettiah Estate vide Annexure-2 and has also been awarded in favour of one Raja Das as per the agreement which forms part of Annexure-2 series.

I have heard learned counsel for the parties and I have perused the records.

It is the argument of Mr. Narain learned senior counsel appearing on behalf of the petitioner that despite the invitation by the Bettiah Raj vide advertisement placed at Annexure 2 series dated 9.5.2015 no step was taken by the Nagar Parishad to forestall the exercise rather the exercise was completed when the Bettiah Raj settled the Raj Deorhi bus stand with one Raja Das. He submits that even when a number of bus stand mentioned at item no.2 of the advertisement placed at Annexure-1 was settled with the petitioner but since the settlement amount was also inclusive of the amount relatable to the parking station at Raj Deorhi, hence by virtue of the settlement made by the Bettiah Raj with Raja Das, the petitioner was restricted from operating the same and raising such grievance he represented before the Executive Officer, Nagar Parishad, Bettiah which was received in the office on 20.5.2015 for proportionate refund of the settlement amount relating to the

parking station at Raj Deorhi. He submits that the plea was renewed by the petitioner by subsequent representations which forms part of Annexure-3 series which bear no result hence this writ petition.

Having heard learned counsel for the parties and considering the nature of grievance the only order which this Court deems it fit and proper to pass presently is to direct the Executive Officer, Nagar Parishad, Bettiah to consider the grievance of the petitioner and dispose of the same in accordance with law and after giving an opportunity of hearing to the petitioner expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this order.

The petitioner would be at liberty to make all submissions as made in this writ petition before the Executive Officer, Nagar Parishad, Bettiah.

This writ petition is accordingly disposed of.

(Jyoti Saran, J)

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