

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5705 of 2016

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The Rikshaw Thela Tamtam Majdoor Union (affiliated to Bihar Rajya Rikshaw Majdoor Sabha) District Brach Saharsa, through its General Secretary namely Vinod Kumar, son of Tirthnath Jha resident of Mohalla-Sharda Nagar Ward No.20, Saharsa P.S. and District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Bihar, Patna
2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
3. The Director, Urban Development and Housing Department, Govt. of Bihar, Patna
4. The Commissioner, Koshi Division, Saharsa
5. The District Magistrate, Saharsa
6. The Executive Officer, Municipal Council, Saharsa

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Respondent/s : Mr.Smt. Namrata Mishra, G.A.13

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 29-03-2016 Heard learned counsel for the parties.

The petitioner questions the order dated 18.12.2005 of the Executive Officer, Municipal Council, Saharsa in the district of Saharsa impugned at Annexure-4 whereby he had been asked to vacate the Rain Basera managed by the petitioner under an agreement entered between him and the Municipal Council. The Union is before this Court through its General Secretary.

The order impugned at Annexure-4 issued by the Executive Officer manifests that a decision was taken by the Principal Secretary, Urban Development Department in the departmental meeting held on 9.12.2015 that the management of the Rain

Basera in question would be handed over to the Area Label Foundation. It is pursuant to such policy decision taken that the agreement entered with the petitioner has been brought to an end with effect from December, 2015 and the petitioner has been directed to clear the dues until the said date which has been admittedly done vide Annexure-7.

In view of the policy decision taken by the Department for management of the Rain Basera in question, the petitioner can raise no grievance nor does the issue warrant any indulgence in the extraordinary writ jurisdiction.

The writ petition is disposed of.

(Jyoti Saran, J)

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