

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21936 of 2013

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Raj Kishore Jain S/o - Late Chunni Lal Jain R/O House No. 15, Ward No. 26, Village - Jain Campus, Rajendra Path Siwan, P.O. - Siwan, P.S. - Siwan, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Siwan
2. The Nagar Parishad, Siwan, through Executive Officer, Nagar Parishad, Siwan
3. The Chairman, Nagar Parishad, Siwan
4. The Executive Officer Nagar Parishad Siwan

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Radha Mohan Pathak, Advocate
For the Respondent/s : Mr. Ravi Bhushan Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 03-03-2016 Mr. Vishwajeet Mishra appears for the petitioner.

There is no representation on behalf of the Municipality.

The petitioner prays for an appropriate direction to the authorities of Nagar Parishad, Siwan to bifurcate the municipal tax liability.

Mr. Vishwajeet Mishra, counsel for the petitioner while espousing the case of the petitioner fairly admits that a partition suit is pending consideration before the Sub Judge-III, Siwan in Title Partition Suit No. 496 of 2009.

In my opinion, until such time that the suit is taken to its logical conclusion no direction can be issued to the

Municipality for bifurcation of the tax in question. The liability is of occupants of that property who shall be obliged to pay the same.

The writ petition is disposed of.

(Jyoti Saran, J)

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