

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16742 of 2014

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1. Dharni Dhar Road Nagar Nigam Market Kirayadar Sangh, Tower Chowk, Laheria Sarai, Darbhanga
 2. Rajiv Kumar Choudhary son of Late Ram Pratap Chaudhary, resident of Mohalla- Hulasganj, Ward No. 47, P.S.- Laheria Sarai, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna
2. Darbhanga Municipal Corporation, through its Municipal (Nagar) Commissioner, Darbhanga
3. Municipal (Nagar) Commissioner, Darbhanga Municipal Corporation, Darbhanga
4. Chief Municipal Officer, Darbhanga Municipal Commissioner, Darbhanga

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Alok Kumar Sinha, Advocate

For the Respondent/s : Mr. Amar Nath Deo, SC-26

Mr. Thakur Jai Singh, AC to SC-26

For the Darbhanga Municipal Corporation: Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 20-01-2016 Heard Mr. Alok Kumar Sinha for the petitioners, counsel for the State and Mr. Bindhyachal Rai for the Darbhanga Municipal Corporation.

The petitioners have raised a question as regarding a retrospective enhancement of license fee by the respondent Corporation.

Mr. Rai, learned counsel for the Corporation with reference to the counter affidavit filed has submitted that the



revision is on the basis of settlement arrived at in between the Shop Keepers' Association and the Corporation and which is binding on the petitioner. He further refers to Annexure-D of the counter affidavit to support such submission and with reference to Annexure-E, he submits that the demand raised stand satisfied as the petitioners have also made payment of the enhanced fee. Learned counsel refers to an order passed by this Court in CWJC No. 3908 of 2015 (Dr. Firoj Khan & ors. vs. The State of Bihar & ors.) to submit that this Court considering the circumstances has refused to interfere with the enhancement.

Having heard learned counsel for the parties and considering the order passed in CWJC No. 3908 of 2015, as also considering that that petitioners have responded to the demand and made the deposit, the issue raised has become infructuous and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

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