

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4697 of 2017

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Sabila Khatoon, Wife of Molvi Alam Reisdent of Mohalla- Mohabbatpur, Ward No. 13, P.O. Dhaka, P.S. Dhaka, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Finance Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Municipal Administration, Urban Development and Housing Department, Government of Bihar, Patna.
5. The District Magistrate, East Champaran, District East Champaran Motihari.
6. The District Panchayat Raj Officer, East Champaran at Motihari, District East Champaran, at Motihari.
7. The Sub-Divisional Officer, Sikrahna, District- East Champaran at Motihari.
8. The Executive Officer, Nagar Panchayat Dhaka, P.O. and P.S. Dhaka, District- East Champaran at Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. B. K. Mangalam, Advocate Ms. Anita Kumari, Advocate
For the State	:	Mr. Yogendra Prasad Sinha, A.A.G. 7 Mr. R. S. Singh, A.C. to A.A.G. 7
For the Nagar Parishad	:	Mr. Rakesh Chandra, Advocate
For the Intervenor	:	Mr. Jitendra Kumar, Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-04-2017

Heard learned counsel for the petitioner and State.

2. The petitioner had moved the Court for a direction to the respondent-State authorities to upgrade Dhaka Nagar Panchayat into Dhaka Nagar Parishad as was required in terms of the statutory provisions since the population of Dhaka Nagar Panchayat had exceeded 40,000 as per the official 2011 census figures.

3. Learned counsel for the petitioner submitted that in the counter affidavit on behalf of respondent No. 5, copy of the recommendation of the District Magistrate, East Champaran, Motihari



addressed to the Principal Secretary, Urban Development and Housing Department, Bihar, Patna under Letter No 347 dated 19.04.2016 has been brought on record, which contains all the requisite information in the prescribed proforma.

4. Learned counsel for the State submitted that the writ petition may be disposed off so that the concerned authorities of the State Government may take appropriate decision in terms of such recommendation.

5. In view thereof, the writ petition is disposed off with a direction to the respondent No. 2 to expeditiously take a decision on the recommendation sent by the District Magistrate, East Champaran, Motihari, as contained in his aforesaid letter dated 19.04.2016. The petitioner shall serve a copy of this order on respondent No. 2 by day after tomorrow.

6. The Court would only indicate that since the legal formalities with regard to such upgradation have not only been admitted but also complied with, the next election would be held of the upgraded Dhaka Nagar Parishad.

(Ahsanuddin Amanullah, J)

M.E.H./-

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