

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2276 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 7781 of 2016**

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Anish Akhtar @ Anish Akhatar, Son of Late Sadakat Hussain, Resident of Mohalla Kalibagh Muhammadnagar, Ward Commissioner, Ward no – 14, Bettaih Nagar Parishad, P.O and P.S -Bettiah Town, District- West Champaran.

.... Appellant

Versus

1. The State of Bihar, through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
3. The Deputy Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
4. The District Magistrate-cum-Collector, West Champaran (Bettiah)
5. The Additional District Magistrate-cum-Collector, West Champaran (Bettiah)
6. The Executive Officer, Municipal Council, Bettiah, West Champaran
7. Jagangir Alam, District Secretary-cum-Member of JDU, R/O - Lal Bazar Paija, Church Road, Bettiah, West Champaran
8. The Secretary, State Election Commission, Bihar Patna

Respondents-Respondents 1st Set

9. Janak Sah, Son of Narsingh Sah, Resident of Ward No-2, Jamadar Tola, P.O & P.S.- Bettiah Town, District -West Champaran (Bettiah)

.... Writ Petitioner-Respondent 2nd Set

With

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**Letters Patent Appeal No. 2347 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 7781 of 2016**

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Janak Sah, Son of Narsingh Sah, Resident of Ward No. 2, Jamadar Tola, P.O. & P.S.- Bettiah, District- West Champaran (Bettiah).

.... Petitioner-Appellant

Versus

1. The State of Bihar, through Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
2. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
3. The Deputy Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
4. The District Magistrate-cum-Collector, West Champaran (Bettiah)
5. The Additional District Magistrate-cum-Collector, West Champaran (Bettiah).



6. The Executive Officer, Municipal Council, Bettiah, West Champaran.
7. Jahangir Alam, District Secretary-cum-Member of JDU, resident of Lal Bazar, Pakija Church Road, Bettiah, West Champaran.
8. Anish Akhtar, Ward Commissioner, Ward No.14, Bettiah Nagar Parishad, P.O.+P.S.- Bettiah Town, District- West Champaran.
9. The Secretary, State Election Commission, Bihar, Patna.

.... Respondents-Respondents

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Appearance:

(In LPA No.2276 of 2016)

For the Appellant/s : Mr. Mrigank Mauli, Advocate.
Mr. Jagjit Roshan, Advocate.
For the State : Mr. Y. P. Sinha, AAG-7.
Mr. Shankar Kumar, AC to AAG-7.
For the Respondent No.8 : Mr. Amit Srivastava, Advocate.
Mr. Sanjeev Nikesh, Advocate.
For Bettiah Nagar Parishad: Mr. Priyadarshi Matri Sharan, Advocate.

(In LPA No.2347 of 2016)

For the Appellant/s : Mr. Ashok Kumar Gupta, Advocate.
For the State : Mr. S. B. K. Mangalam, Advocate.
Mr. Y. P. Sinha, AAG-7.
Mr. Shankar Kumar, AC to AAG-7.
For Bettiah Nagar Parishad: Mr. Priyadarshi Matri Sharan, Advocate
For State Election : Mr. Amit Srivastava, Advocate.
Commissioner Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 28-01-2017

Learned counsels for the parties agree that in terms of the order passed by the learned Single Bench of this Court on 01.12.2016 in C.W.J.C. No. 7781 of 2016, the Principal Secretary, Urban Development and Housing Department has passed an order of removal against the writ applicant.

In view of the said development, it is agreed that the



present Letters Patent Appeals are rendered infructuous. But the writ applicant intends to seek separate remedy against the order now passed by the Principal Secretary, Urban Development and Housing Department.

In view of the said fact, the present Letters Patent Appeals are disposed of as infructuous.

However, it shall be open to the writ applicant to seek such other remedy as is available to him in accordance with law.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

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AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	02.02.2017
Transmission Date	

