

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 19707 of 2016

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Ashok Kumar, Son of Sri Jai Krishna Rai, Resident of Mohalla- Mahnar Tara,
Ward No. 17, P.O. and P.S. - Mahnar, District - Vaishali at Hajipur presently Ward
Councilor, Nagar Panchayat, Mahnar, District - Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Cabinet Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Urban Development and Housing Department,
Government of Bihar, Patna.
4. The Special Secretary, Urban Development and Housing Department,
Government of Bihar, Patna.
5. The District Magistrate, Vaishali at Hajipur, District - Vaishali at Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. B. K. Mangalam and
Mr. Gajendra Kumar Singh, Advocates
For the State : Mr. S. P. Singh, G.A. 3

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 23-02-2017

Heard learned counsel for the parties.

Pursuant to order dated 22.02.2017, the Principal
Secretary, Department of Urban Development and Housing and the
District Magistrates of Patna and Vaishali are present.

The Court has heard the officers and their counsel at
length.

The confusion with regard to up-gradation of
Bakhtiyarpur Nagar Panchayat as Nagar Parishad has been clarified,
the correct position being that as per the census figure, Bakhtiyarpur
Nagar Panchayat was entitled for up-gradation as Nagar Parishad.



With regard to the up-gradation of Mahnar Nagar Panchayat as Nagar Parishad, the Principal Secretary has informed the Court that the claim is genuine and a decision has been taken for up-gradation but the formalities are to be completed by final approval by the Cabinet, which would take some time. However, it is assured that the Government would thereafter notify the election of Mahnar Nagar Parishad which has to be conducted by the State Election Commission.

In view thereof, the writ petition stands disposed off in terms of the stand taken by the Principal Secretary, as recorded hereinabove.

The appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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