

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4257 of 2016

In
Civil Writ Jurisdiction Case No.1588 of 2015

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Mahtab Uddin Son of Late Md Karu Mian, Resident of Mohalla- Islamnagar,
Barahpura, P.S.- Ishakchak, District- Bhagalpur

... .. Petitioner/s

Versus

1. The Bhagalpur Municipal Corporation, Bhagalpur, Through Its Municipal Commissioner, Namely Mr. A. K. Singh.
2. The Additional Municipal Commissioner, Bhagalpur Municipal Corporation, Bhagalpur, namely Mr. B.K. Yadav.
3. The State of Bihar, through the Principal Secretary, Urban Development Department, Government of Bihar, Patna, namely Mr. Chaitanya Prasad, IAS.

... .. opp. Parties.

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Appearance :

For the Petitioner/s : Mr. Avanindra Kumar Jha, Advocate
For the Opp.Party no.2 : Mr. Manish Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 16-10-2017 Heard Mr. Purusottam Jha for the petitioner and Mr.
Manish Kumar for the opposite party no.2.

The application alleges wilful /deliberate disobedience of
the order dated 09.05.2016 (Annexure-1). The operative part of
the said order reads thus:-

“In view of the aforesaid, the writ application
stands disposed of. Let the Municipal Commissioner
and/or any other appropriate authority of the
Corporation examine the said grievance of the
petitioner detailed in the Annexure-5 and take
appropriate decision and/or pass orders in accordance
with law as quickly as possible preferably within
three months.”

Mr. Manish Kumar, counsel for the opposite party no.2, on
instruction, states that the entire admissible dues including the



interest has been disbursed/paid in favour of the petitioner. Mr. Jha, however, states that a representation has thereafter been filed for payment of some more due which remain to be disbursed.

In the light of the statements made at Bar by the counsel for the opposite party no.2, in the considered view of the Court, the present application does not merit further persuasion. It is, accordingly, rejected.

Rejection of the present application shall not preclude the petitioner from pursuing the representation, if any, filed before the concerned authority.

(Kishore Kumar Mandal, J)

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