

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18801 of 2014

=====

Mohammed Raju @ Md. Zulfikar Ali, Son of Mohammed Israfil, resident of
Mohalla- N.A.C. Road, Ward No.- 11, Police Station + P.O. + District- Khagaria

.... Petitioner

Versus

1. The State of Bihar
2. District Magistrate, Khagaria
3. Sub-Divisional Magistrate, Khagaria
4. Executive Officer, Notified Area Committee, Khagaria
5. Chairman Cum Office-in-charge Sashkt Sthai Samiti
6. Vice Chairman cum Member of Sashkt Sthai Samiti
7. Sohan Chaudhary, Ward Member of Ward No. 24 cum Member of Sashkt Sthai Samiti, Nagar Parishad, Khagaria
8. Ravish Kumar @ Banta, Ward Member of Ward No. 12 cum Member of Sashkt Sthai Samiti, Nagar Parishad, Khagaria
9. Vinay Patel Ward Member of Ward No. 1 cum Member of Sashkt Sthai Samiti, Nagar Parishad, Khagaria
10. Ajit Kumar (Then Official/Karamchari) Nagar Parishad, Khagaria
11. Gagan Kumar (President Karamchari Nagar Parishad Khagaria).

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Phulen Yadav, Advocate
For State : Mr. Nishant Kumar Jha, AC to SC 28
For Res. No. 4 : Mr. Rakesh Chandra, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 20-03-2017

The instant writ application has been filed for
quashing Memo No. 747 dated 01.04.2014 issued by the respondent
no. 4 by which a fresh notice has been invited by Nagar Parishad,



Khagaria for settlement of stall no. A/15 from desirous persons and also not to disturb the peaceful possession of the petitioner from the abovementioned stall and also to receive rent from the petitioner regarding stall in question.

2. In view of the availability of an equally efficacious alternative remedy of appeal before the Secretary, as provided under Section 8 of Bihar Government Premises (Rent Recovery and Eviction) Act, 1956, I am not inclined to entertain the present writ application. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.03.2017
Transmission Date	NA

