

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.6607 of 2017**

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Nawadah Zila Parivahan Parichalak Sangh through its President namely Vijay Kumar, son of Sri Mundrika Singh, resident of village - Eknar, P.S. - Hisua, District - Nawadah.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Transport, Government of Bihar, Patna.
2. The Regional Transport Authority, Magadh Division, Gaya.
3. The District Magistrate, Nawadah.
4. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Nawadah.
5. The Sub-Divisional Officer, Rajauli, District - Nawadah.
6. The Superintendent of Police, Nawadah.
7. The Officer-in-Charge, Rajauli Police Station, District - Nawadah.
8. Bimal Yadav, son of Lakhan Mahto, resident of village - Ransidheshwarpur, Nehaluchak, P.S. + District - Nawadah.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Advocate  
For the Respondent/s : Mr. Rohitabh Das, AC to AAG X  
For the Zila Parishad : Mr. Nikesh Kumar, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**And**

**HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 05-05-2017**

The grievance of the petitioner in this public interest writ



petition is that certain contract has been given in Rajauli Bus Stand situated in the District of Nawadah to respondent no.8 by the Zila Parishad, Nawadah for collection of certain charges and the allegations are that beyond the rates prescribed by the Zila Parishad, respondent No.8 is charging six times more than the prescribed rate. It is stated that by using musclemen, respondent no. 8 is collecting illegal charges contrary to the prescribed rate as notified by the Zila Parishad. When repeated representations have fallen on deaf ear of the respondents, this petition is filed by the Nawadah Zila Parivahan Parichalak Sangh aggrieved by the action of respondent no.8 and inaction on the part of the competent authority.

Taking note of the aforesaid grievance of the petitioner, for the present, without entering into the controversy on merits, in the interest of justice, the District Magistrate, Nawada, respondent no.3, and the Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, Nawadah, respondent No.4, are directed to take note of the complaint of the petitioner and if it is found that respondent no.8 is indulging in the action, as are alleged in the writ petition, action be taken against respondent no.8 in accordance with law and he be prevented from charging more than the rate notified by the Zila Parishad. Respondents are expected to take action within one month from the date of receipt of a certified copy of the order. Needless to



emphasize, we are not expressing any opinion on the merits of the grievance of the petitioner and the respondents will take action after following due process of law.

With the aforesaid observation and direction, the writ petition stands disposed of.

**(Rajendra Menon, CJ)**

**(Sudhir Singh, J)**

Sunil/-

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