

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.797 of 2016
IN
Civil Writ Jurisdiction Case No. 1379 of 2009**

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1. Hari Narayan Sah Son of Shri Rajaram Sah, Resident of Village - Ninhawalia,
P.O. - Mahnagani, P.S. - Bettiah, District - West Champaran.

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.... Petitioner-Appellant/s

Versus

1. The State of Bihar
2. The District Officer, West Champaran at Bettiah.
3. The Sub - Divisional Officer, Sadar Bettiah - cum - Special Officer, Agriculture Produce Bazar Samittee Ltd., Bettiah, West Champaran.
4. The Secretary, Agriculture Produce Bazar Samittee, Sadar Bettiah.
5. The Sub - Committee of Allotment of Shops, Agriculture Produce Market Samittee, Bettiah.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Gupta, Adv
For the Respondent/s : Mr. Avnish Nandan Sinha- GP11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 06-04-2017

The petitioner who was allotted the shop by the
Agriculture Produce Market Samiti, Bettiah, West Champaran, has
been ordered to vacate the shop by issuance of show cause notice
finding him to be defaulter in payment of rent and also to the effect



that he has sub-let the shop unauthorisedly. The records indicate that repeated show cause notices were issued to him and finally he submitted a reply denying the agreement. However, the competent statutory authority on inquiry found that as per the terms and conditions of the agreement, the rent of the shop has to be deposited in the government treasury but he has paid the rent to some other.

Taking note of all the facts and circumstances, in Annexure-6 dated 07.05.2008 and Annexure-7 dated 28.05.2008, passed by the Sub Divisional Officer-cum-Special Officer, Agriculture Produce Market Samiti, Bettiah, West Champaran, we see no error in the order passed by the learned writ Court warranting interference.

The appeal is, accordingly, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Ranjan/-

AFR/NAFR	NAFR
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