

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1956 of 2014

In
Civil Writ Jurisdiction Case No. 7289 of 2012

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1. Tarkeshwar Nath, Son of Sri Dalchand Prasad, R/o Dak Ghar Lane, Manpur, P.S. Buniyadganj, District- Gaya
 2. Hari Narayan Prasad, Son of Sri Thakur Patwa, R/o Patwatoli, Manpur, P.S. Buniyadganj, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. S. Sidharth, The Principal Secretary, Urban Development and Housing Department, Bihar, Patna
3. Ram Bilash Paswan, Municipal Commissioner, Gaya Municipal Corporation, Gaya
4. Bijoy Kumar Sinha, Chief Executive Officer, Gaya Municipal Corporation, Gaya

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Nirmal Kumar, Advocate
For O.P. Nos. 1 & 2 : Mr. Bijoy Kumar Sinha, A.C. to AAG-5
For O.P. Nos.3 & 4 : Mr. Rabindra Kr. Priyadarshi, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 25-08-2017 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the Gaya Municipal Corporation as well as the learned counsel for the State.

In view of the decision taken by the Corporation in the year 2015 classifying Baijnath Sahay Lane as the main road, it appears that the direction of this Court for taking a decision with regard to Resolution No.6 dated 20.10.2012 of Gaya Municipal Corporation has been taken and thus this Court is of the opinion that there has been substantial compliance of the order passed by



this Court.

Learned counsel for the petitioners, however, submits that the final decision has not yet been taken with regard to the fixation of rate. As such, the petitioners are unable to pay any money to the Corporation.

So far as payment of municipal tax on old rate is concerned, the petitioners do not seem to have paid the same after 01.04.2013.

In view of such facts and circumstances, this Court is not inclined to proceed further in this contempt application. It is, thus, dismissed and the contempt proceeding is, accordingly, dropped.

The petitioners, if so advised, may approach the Corporation for final fixation of their bills.

(Anjana Mishra, J)

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