IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4073 of 2017

==

1. Vijay Kumar, son of Late Megal Chand, Resident of Mohalla- Barhi Bigha, Gram- Hisua, P.S.- Hisua, District- Nawada.
2. Dilip Kumar, Son of Late Dashrath Prasad, Resident of Mohalla- Pachu Nalapar, P.S.- Hisua, District- Nawada.
3. Alok Kumar, Son of Late Chanda Mauli Singh, Resident of Mohalla- Kanchanbag Hisua, P.O. + P.S.- Hisua, District- Nawada.
4. Dilip Kumar, Son of Late Shiv Narayan Lal, Resident of Mohalla- Panchu Main Road, P.O. + P.S.- Hisua, District- Nawada.
5. Arun Kumar, Son of Bishundeo Prasad, Resident of Village- Hisua Bhulan Bigha, P.S. + P.O.- Hisua, District- Nawada.

... ... Petitioner/s

Versus

1. The State of Bihar through the Cabinet Secretary, Government of Bihar.
2. The Principal Secretary, Nagar Vikash and Awash Vibhag, Bihar, Patna.
3. The Deputy Secretary-cum-Director Nagar Vikash Department, Govt. of Bihar, Patna.
4. The Chairman Nagar Panchayat, Hisua, District- Nawada.
5. The Executive Officer, Nagar Panchayat Hisua- cum- Circle Officer, Hisua.

... ... Respondent/s

==

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Respondent/s : Mr. SUBHASH PRASAD SINGH- GA3

==

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-01-2018

In this Public Interest Litigation, challenge has been made to fixation and imposition of holding tax by the Nagar Panchayat Hisua, District- Nawada.

Even though initially for various periods the tax was fixed at the rate of 6%, which was raised to 18% and now reduced to 9%. Grievance of the petitioner is that for the interim period when the tax was charged at 18%, the amended provision reducing the tax to 9% should be implemented. In a Public Interest Litigation now, all these questions cannot be gone into. If the petitioner or the representatives of the petitioner have any grievance, they may represent in this matter to the State Government or the Nagar Panchayat in question with regard to granting relief for the period when the tax was charged at the rate of 18% and it would be for the authority to consider the grievance and thereafter the aggrieved person/s may have liberty to challenge the imposition of holding tax in accordance with law. Representation, if any, filed should be disposed of within 90 days.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.01.2018
Transmission Date	