

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18759 of 2018

1. Birendra Prasad, Son of Late Krishnadeo Narain, resident of Mohalla- Nakhas, Mithakuan, P.S.- Hazipur Town, District- Vaishali.
2. Ramesh Chandra Prasad, Son of Late Ram Chandra Prasad, resident of Mohalla- Nakhas, Mithakuan, P.S.- Hazipur Town, District- Vaishali ... Petitioners

Versus

1. The State of Bihar.
 2. The Principal Secretary Urban Development and Housing Department, Govt. of Bihar, Patna.
 3. The District Magistrate, Vaishali at Hajipur.
 4. The Superintendent of Police, Vaishali at Hajipur.
 5. The Sub-Divisional Officer, Hajipur, Vaishali.
 6. The Nagar Parishad, Hazipur through its Executive Officer.
 7. The Executive Officer, Nagar Parishad, Hajipur ... Respondents
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Appearance :

For the Petitioners	:	M/s Prashant Sinha & Smriti Singh, Advs.
For the State	:	Mr. Kinkar Kumar, SC IX
For the Municipality	:	Mr. Kumar Manish, Adv.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 11-10-2018 Heard Mr. Prashant Sinha, learned counsel for the petitioners, Mr. Kinkar Kumar, SC IX, learned counsel for the State, and Mr. Kumar Manish, learned counsel for the Municipality.

The petitioners complain of the inaction of the Municipality to conclude the proceeding, which was initiated by the Municipality, itself, in the year 2015 for widening the road running between Nakhas Chowk to Masjid Chowk in Mohalla Mithakuan in the township of Hajipur in the district of Vaishali, vide public notice, at Annexure 7.

It is stated by Mr. Sinha that no doubt a proceeding was initiated by the Nagar Parishad, Hajipur, for widening of the



road in question, but, has been abandoned midway. The grievance of the petitioners is that it should be taken to its conclusion.

Mr. Kumar Manish, appearing for the Municipality, prays for adjournment to seek instruction, but, in our opinion, in the nature of the grievance raised and since the proceeding has already been initiated by the Nagar Parishad, Hajipur, it has to be taken to its logical conclusion in accordance with law within a reasonable period and a period over three years would never be termed reasonable.

In the circumstances, noted, we deem it proper to direct the Executive Officer, Nagar Parishad, Hajipur, to take the proceeding initiated vide Annexure 7 to its conclusion in accordance with law and after opportunity of hearing to all parties concerned within a period of three months from the date of receipt/production of a copy of this order.

The writ petition is allowed, with the direction aforementioned.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Shamshad/-

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