

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 1801 of 2018

In

Civil Writ Jurisdiction Case No.10085 of 2015

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Mala Sinha, Wife of Late Ram Sewak Sinha, Resident of Mohalla Bairagi,
P.O R.S. Gaya, P.S Delha, District Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Development Department, Govt. of Bihar,
Patna.
3. The District Magistrate, Gaya.
4. The Municipal Commissioner, Gaya Nagar Nigam, Gaya.
5. The Secretary, Municipal Corporation, Gaya.
6. Finance Officer, Municipal Corporation, Gaya.
7. Tax Collector, Municipal Corporation, Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh, Advocate
For the Respondent/s : Mr.Yogendra Prasad Sinha- AAG-7
Mr. Shankar Kumar, A.C. to AAG-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 18-04-2019

This intra court appeal has been preferred against
the order dated 26.11.2018 of the learned Single Judge passed in
C.W.J.C. No. 10085 of 2015.

2. The facts in brief are that a demand notice was
served on late Ram Sewak Sinha under the signature of the
Secretary, Municipal Corporation, Gaya vide Bill No. 6 dated
04.04.2012 demanding a sum of Rs. 24,836.43/- as Holding Tax



with respect to the house in question. As per the case of the appellant, an objection was filed by late Ram Sewak Sinha, but subsequently he expired on 11.01.2015. It is further stated that the said objection is still pending before the respondent-Municipal Corporation.

3. Having heard the counsel for the appellant and the counsel for the State of Bihar, this appeal is being disposed of giving liberty to the appellant to get herself substituted by filing an appropriate petition before the Municipal Corporation. If the appellant succeeds in getting herself substituted, the Municipal Corporation will proceed to decide the objection filed by late Ram Sewak Sinha treating it to be an application under Section 141 of the Bihar Municipal Corporation Act, 2007 within a period of three months.

4. The Letters Patent Appeal stands disposed of.

(Amreshwar Pratap Sahi, CJ)

(Partha Sarthy, J)

sushma/-

AFR/NAFR	NAFR
CAV DATE	
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